MODESTO CITY COUNCIL
RESOLUTION NO. 83-1

A RESOLUTION AMENDING P-D(320), PROPERTY LOCATED AT 3700 McHENRY AVENUE, TO INCLUDE A FAMILY AMUSEMENT MACHINE CENTER.

WHEREAS, Ordinance No. 2098-C.S., which was introduced on December 1, 1981, finally adopted on December 8, 1981, and which became effective on January 7, 1982, granted P-D(320) to allow bowling alleys, a restaurant/cocktail lounge and off-street parking at 3700 McHenry Avenue, on the east side of McHenry Avenue north of Warren Way, which development is known as McHenry Bowl, and

WHEREAS, City Council Resolution No. 81-1047, adopted on December 1, 1981, approved the development plan and schedule for P-D(320) and also contained the conditions of approval for the development of said uses in the P-D(320) zone, and

WHEREAS, a verified application for an amendment to P-D(320) was filed by McHenry Bowl, Inc. on October 27, 1982, to allow establishment of a family amusement machine center in a portion of McHenry Bowl, and

WHEREAS, a public hearing was held by the Planning Commission on December 6, 1982, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 82-186, found and determined that the requested amendment to P-D(320) is required by public necessity, convenience, and general welfare for the following reasons:

1. The family amusement machine center will amount to a very minor part of this much larger recreational use.

2. The remodeling and expanding of McHenry Bowl will allow for a higher degree of supervision due to proximity of the proposed game room with the control center for the bowling alley.

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on January 4, 1983, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to P-D(320) to allow establishment of a Family Amusement Machine Center is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 82-186 and quoted above, and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a Negative Declaration in regard to the environmental impact of the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the requested amendment to P-D(320) to allow establishment of a family amusement machine center in a portion of McHenry Bowl, property located at 3700 McHenry Avenue on the east side of McHenry Avenue north of Warren Way, is hereby approved subject to the following conditions:

1. All amusement machines shall be located in the game room as shown on the approved plot plan and be limited to operating hours of 9 a.m. to 1 a.m. Sundays through Thursdays, and 9 a.m. to 2 a.m. Fridays and Saturdays, except that no more than two amusement machines may be located in the cocktail lounge and be operated the same hours as the lounge.

2. All conditions of City Council Resolution No. 81-1047 shall remain in full force and effect.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(320).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of January, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: Elliott

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-2

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAPS 4-3-9 and 9-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (SIDNEY SMITH)

WHEREAS, on January 4, 1983, the City Council introduced Ordinance No. 2167-C.S. giving approval to a project relating to an amendment to Section Maps 4-3-9 and 9-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Highway Frontage Zone, H-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Maps 4-3-9 and 9-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Highway Frontage Zone, H-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of January, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-3

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF TRAFFIC SIGNAL PARTS FROM ECONOLITE CORPORATION

WHEREAS, the Public Works Electrical Division has requested traffic signal parts to repair Econolite traffic signals located throughout the City; and

WHEREAS, Econolite Corporation is the sole source for these parts.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of traffic signal parts is hereby waived.

BE IT FURTHER RESOLVED that purchase of traffic signal parts from Econolite Corporation for $7,268 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of January, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-4

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON PROPOSED AMENDMENT TO CODE TO AUTHORIZE A SEWER PARCEL INSPECTION FEE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** January 18, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a proposed amendment to the Code to authorize a sewer parcel inspection fee.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 4th **day of** January **, 19** 83 **, by Councilmember** Bright **, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-5

**A RESOLUTION APPROVING** AMENDED **/AGREEMENT BETWEEN THE CITY OF MODESTO AND** NATHAN J. AND EUNICE M. PROVINCE TO ELIMINATE THE ONE TIE-DOWN THEY HAVE IN CONJUNCTION WITH THEIR MAINTENANCE OPERATION AT THE AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto** amended **that the /agreement between the City of Modesto and** Nathan J. and Eunice M. Province to eliminate the one tie-down they have in conjunction with their maintenance operation at the Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 4th **day of** January**, 19**83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-6

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ROBERT L. CRISP, MAI FOR THE APPRAISAL OF 18 PROPERTIES NEEDED FOR UNIT III, WASTEWATER IRRIGATION PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Robert L. Crisp, MAI for the appraisal of 18 properties needed for Unit III, Wastewater Irrigation Project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 4th **day of** January**, 19**83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-7

A RESOLUTION APPOINTING MEMBERS OF THE MODESTO YOUTH COMMISSION

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Modesto Youth Commission for the respective term as indicated:

(See Exhibit A)

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Modesto Youth Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of January, 19 83, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Judy Betker, Senior
228 Merlin Way
Modesto, CA 95350
523-7108

Beyer High School
(term expires 6-1-83)

Paul Kim, Senior
2704 Bosworth Court
Modesto, CA 95350
526-4695

Davis High School
(term expires 6-1-83)

Connie Christodulis, Junior
408 Broderick Avenue
Modesto, CA 95350
524-1314

Davis High School
(term expires 12-1-83)

Sandra Contreras, Senior
1201 Frankette
Modesto, CA 95351
524-9097

Modesto High School
(term expires 6-1-83)

Michelle Van Dyke, Senior
3830 McDonald
Modesto, CA 95351
523-8179

Modesto Christian High School
(term expires 6-1-83)

In addition, the following student has been recommended for reappointment by the principal at Beyer High School:

Julie Fink, Senior
3424 Claremont Avenue
Modesto, CA 95350
524-5775

(term expires 12-1-83)

EXHIBIT "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 83-8

A RESOLUTION ESTABLISHING SIGN PERMIT FEES AND RESCINDING RESOLUTION NO. 77-707.

WHEREAS, Section 10-2.3503(i) of the Modesto Municipal Code authorizes the Council, by resolution, to establish sign permit fees, and

WHEREAS, City staff has recommended an increase in existing sign permit fees, and

WHEREAS, the Council held a public hearing on January 11, 1983, to consider the recommended increase in the existing sign permit fees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. PAINTED WALL SIGNS. The fee shall be Fifteen and no/100ths ($15.00) Dollars for each painted wall sign.

SECTION 2. CHANGE OF COPY. The fee shall be Fifteen and no/100ths ($15.00) Dollars for each sign on which there is a change of copy.

SECTION 3. ALL OTHER SIGNS. The fee shall be Twenty and no/100ths ($20.00) Dollars for all other signs.

SECTION 4. BUILDING AND ELECTRICAL PERMIT FEES. The above listed fees are in addition to fees incident to the issuance of building and electrical permits. Building and electrical permits are not required for painted wall signs or for change of copy.

SECTION 5. EFFECTIVE DATE. The fees established by this resolution shall become effective on and after May 1, 1983.

SECTION 6. REPEALS: Resolution No. 77-707 adopted by the Council on July 5, 1977, is hereby rescinded effective April 30, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-8A

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTIONS 10-2.801 AND 10-2.901 OF THE MODESTO MUNICIPAL CODE RELATING TO ZONING REGULATIONS.

WHEREAS, on January 11, 1983, the City Council introduced Ordinance No. 2168-C.S. giving approval to a project relating to an amendment to Sections 10-2.801 and 10-2.901 of the Modesto Municipal Code relating to Zoning Regulations., and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Sections 10-2.801 and 10-2.901 of the Modesto Municipal Code relating to Zoning Regulations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-9

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SUNRISE AND BRIGGSMORE LANDSCAPING AND IRRIGATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Sunrise and Briggsmore landscaping and irrigation

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 1, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-10

A RESOLUTION ACCEPTING THE BID OF ACME GLASS COMPANY FOR THE INSTALLATION OF AUTOMATIC SLIDING DOORS AT THE ENTRANCE TO CITY HALL

WHEREAS, Resolution No. 82-890 adopted by the Council of the City of Modesto on December 14, 1982 , approved the plans and specifications for the installation of automatic sliding doors at the entrance to City Hall and authorized the calling for bids; and

WHEREAS, the bids received for the installation of automatic sliding doors at the entrance to City Hall were opened at 11:05 a.m. on January 4, 1983 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Acme Glass Company in the amount of $19,695 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Acme Glass Company in the amount of $19,695 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January , 19 83, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-11

A RESOLUTION ACCEPTING THE BID OF DEE BURTON CONCRETE CONTRACTOR FOR PROJECT NO. 13 - REPLACEMENT OF CURBS, DRIVE APRONS AND SIDEWALKS AT VARIOUS LOCATIONS

WHEREAS, Resolution No.82-891, adopted by the Council of the City of Modesto on December 14, 1982, approved the plans and specifications for the Project No. 13 - replacement of curbs, drive aprons and sidewalks at various locations and authorized the calling for bids; and

WHEREAS, the bids received for the Project No. 13 - replacement of curbs, drive aprons and sidewalks at various locations were opened at 11:00 a.m. on January 4, 1983, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Dee Burton Concrete Contractor in the amount of $31,900 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Dee Burton Concrete Contractor in the amount of $31,900 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-12

A RESOLUTION APPROVING SUBSTITUTION OF SUBCONTRACTOR FOR THE CONSTRUCTION OF MUNCY PARK UTILITY BUILDING AS REQUESTED BY THE PRIME CONTRACTOR, B & L BUILDERS

WHEREAS, the City of Modesto has contracted with B & L Builders for the construction of Muncy Park utility building; and

WHEREAS, the listed electrical subcontractor for said project, Wallace Electric, has gone bankrupt; and

WHEREAS, the listed electrical subcontractor, Wallace Electric, has been notified of the proposed substitution of M-D Electric Company in conformance with the Government Code, and has not submitted written objection to the substitution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the substitution of M-D Electric Company as the electrical subcontractor for the construction of Muncy Park utility building - LWCF 06-00735, as requested by the prime contractor, B & L Builders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-13

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY.

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, the City has 715 parking meters and assorted parts which have become surplus to the City's present needs, which items are as set forth on Exhibit "A" which is attached hereto and by this reference made a part hereof as though set forth in full herein, and

WHEREAS, said surplus items could best be sold on a sealed bid basis,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell on a sealed bid basis to the highest bidder, those items of personal property set forth on Exhibit "A" referred to above, which are hereby found to be surplus.

SECTION 2. The sale shall be conducted by the City Manager or by such person as he may select for this purpose. If said items of property cannot be sold on a sealed bid basis as provided for above, they shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by

Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

## DUNCAN MODEL 60 METERS COMPLETE

| Item # | Quantity | Time Limit | Rate | Coin Combination |
|---|---|---|---|---|
| 1 | 450 each | 2 hour | 5¢ hr | 1¢, 5¢, 10¢, 25¢ |
| 2 | 113 each | 2 hour | 5¢ hr | 1¢, 5¢, 10¢ |
| 3 | 136 each | 24 min. | 5¢ hr | 1¢, 5¢, 10¢, 25¢ |
| 4 | 16 each | 24 min. | 5¢ hr | 1¢, 5¢, 10¢ |

## DUNCAN MODEL 60 MECHANISM ONLY

| | | | | |
|---|---|---|---|---|
| 5 | 50 each | 3 hour | 10¢ hr | 5¢, 10¢, 25¢ |
| 6 | 37 each | 2 hour | 5¢ hr | 1¢, 5¢, 10¢, 25¢ |
| 7 | 9 each | 24 min. | 5¢ | 1¢, 5¢, 10¢, 25¢ |

## DUNCAN MODEL 60 HOUSINGS ONLY

| | | | | |
|---|---|---|---|---|
| 8 | 50 each | | | |

**Exhibit "A"**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-14

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON REQUEST FROM FRANCIS R. RUGGIERI, ON BEHALF OF RUDY BONZI, INC., CONCERNING RENEWAL OF LICENSE FOR THE COLLECTION OF INDUSTRIAL GARBAGE AND SWILL AND/OR SALVAGEABLE WASTE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** January 25, 1983 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a request from Francis R. Ruggieri, on behalf of Rudy Bonzi, Inc., concerning renewal of license for the collection of industrial garbage and swill and/or salvageable waste.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** January**, 19**83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-15

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON REQUEST FROM FRANCIS R. RUGGIERI, ON BEHALF OF BERTOLOTTI DISPOSAL, INC., CONCERNING RENEWAL OF LICENSE FOR THE COLLECTION OF GARBAGE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** January 25, 1983 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a request from Francis R. Ruggieri, on behalf of Bertolotti Disposal, Inc., concerning renewal of license for the collection of garbage.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** January **, 19** 83 **, by Councilmember** Bright **, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-16

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A PRE-APPLICATION FOR FEDERAL FUNDING TO OFFSET THE COST OF COMPLETING AND EQUIPING MODESTO'S EMERGENCY OPERATION CENTER

BE IT RESOLVED by the Council of the City of Modesto that the submission of a pre-application to the Federal Emergency Management Agency for federal funds in the amount of $19,350 to offset the cost of completing and equipping Modesto's Emergency Operation Center be, and hereby is approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-17

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A PRE-APPLICATION FOR FEDERAL GRANT FUNDS FOR MODESTO CITY-COUNTY AIRPORT GENERAL AVIATION PARKING AREA

BE IT RESOLVED by the Council of the City of Modesto that the submission of a pre-application for federal grant funds in the amount of $171,000 for the reconstruction of approximately 150,000 SF of existing oil dirt surface used for general aviation aircraft parking at the Modesto City-County Airport be, and hereby is approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-18

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Scenic-Oakdale No. 3 Annexation to the City of Modesto by Resolution No. 82-888 adopted on December 14, 1982, and said annexation officially became a part of the City of Modesto on December 30, 1982, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 83.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None.

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

All that real property in the State of California, County of Stanislaus, being portions of the Southwest quarter of Section 23 and the Northwest quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern corner of DRY CREEK PARK NO. 3 ADDITION (313), as per description filed January 21, 1974, as Instrument 27802, Stanislaus County Records, said point being on the Southern line of SCENIC-OAKDALE ADDITION (371), as per description filed April 5, 1978, as Instrument 63080, Stanislaus County Records, said point also being on the centerline of the former 50.00 foot Scenic Drive, said centerline being a curve from which point a radial line bears South 13° 32' 21" West;

1. thence along the existing City Limits on said Southern line of ADDITION (371) and said centerline of Scenic Drive, said line being a curve concave to the Southwest, having a Radius of 954.93 feet, a Central Angle of 9° 25' 58" and an Arc Length of 157.21 feet;

2. thence continuing along the existing City Limits on a Southern line of ADDITION (371) and said centerline of Scenic Drive, South 67° 01' 41" East, 131.14 feet, to the Southeastern corner of ADDITION (371);

3. thence leaving the existing City Limits and continuing along the centerline of Scenic Drive, South 67° 01' 41" East, 96.82 feet;

4. thence continuing along the centerline of Scenic Drive on a tangent curve concave to the Northeast, having a Radius of 572.96 feet, a Central Angle of 21° 47' 48" and an Arc Length of 217.97 feet;

5. thence along the centerline of Scenic Drive on a tangent line, South 88° 49' 29" East, 355.37 feet, to the Northeastern corner of the property conveyed to Wanda Clemens, by Administratrix's Deed recorded August 19, 1968, as Instrument 25721, Stanislaus County Records;

6. thence along the Eastern line of said Clemens property, South 00° 13' 29" East, 408.93 feet, to the Southeastern corner of the Clemens property and a point on a Northern line of said ADDITION (313);

7. thence along the existing City Limits on said Northern line of ADDITION (313), South 85° 57' 31" West, 184.56 feet;

8. thence continuing along the existing City Limits on a Northeastern line of ADDITION (313), North 40° 51' 29" West, 221.79 feet;

9. thence continuing along the existing City Limits on a Northeastern line of ADDITION (313), North 62° 41' 10" West, 591.29 feet;

10. thence continuing along the existing City Limits on a Northern line of ADDITION (313), North 72° 05' 00" West, 75.40 feet;

11. thence continuing along the existing City Limits on an Eastern line of ADDITION (313), North 00° 33' 41" West, 150.44 feet, to the point of beginning containing 5.438 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-19

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (SCENIC - OAKDALE NO. 3 ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 82-888 on December 14, , 19 82 , certain territory known as Scenic - Oakdale No. 3 Annexation to the City of Modesto , and

WHEREAS, the inclusion of the area contained in Scenic - Oakdale No. 3 Annexation to the City of Modesto to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Scenic - Oakdale No. 3 Annexation to the City of Modesto (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.



130/000-00155-01/15/79

wpc

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 234.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, March 1, 1983, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 234.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) At the Northwest corner of the annexation on the South side of Scenic Drive approximately 600 feet East of Oakdale Road.

(2) On the South side of Scenic Drive at the Northwest corner of the property known as 2360 Scenic Drive.

(3) At the Northeast corner of the annexation on the South side of Scenic Drive approximately 1560 feet East of Oakdale Road.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 234, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers | None |
| ABSENT: | Councilmembers | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Roo Campbell
Public Works Department



130/000-00155-01/15/79

SCENIC-OAKDALE NO. 3 ANNEXATION

All that real property in the State of California, County of Stanislaus, being portions of the Southwest quarter of Section 23 and the Northwest quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern corner of DRY CREEK PARK NO. 3 ADDITION (313), as per description filed January 21, 1974, as Instrument 27802, Stanislaus County Records, said point being on the Southern line of SCENIC-OAKDALE ADDITION (371), as per description filed April 5, 1978, as Instrument 63080, Stanislaus County Records, said point also being on the centerline of the former 50.00 foot Scenic Drive, said centerline being a curve from which point a radial line bears South 13° 32' 21" West;

1. thence along the existing City Limits on said Southern line of ADDITION (371) and said centerline of Scenic Drive, said line being a curve concave to the Southwest, having a Radius of 954.93 feet, a Central Angle of 9° 25' 58" and an Arc Length of 157.21 feet;

2. thence continuing along the existing City Limits on a Southern line of ADDITION (371) and said centerline of Scenic Drive, South 67° 01' 41" East, 131.14 feet, to the Southeastern corner of ADDITION (371);

3. thence leaving the existing City Limits and continuing along the centerline of Scenic Drive, South 67° 01' 41" East, 96.82 feet;

4. thence continuing along the centerline of Scenic Drive on a tangent curve concave to the Northeast, having a Radius of 572.96 feet, a Central Angle of 21° 47' 48" and an Arc Length of 217.97 feet;

5. thence along the centerline of Scenic Drive on a tangent line, South 88° 49' 29" East, 355.37 feet, to the Northeastern corner of the property conveyed to Wanda Clemens, by Administratrix's Deed recorded August 19, 1968, as Instrument 25721, Stanislaus County Records;

6. thence along the Eastern line of said Clemens property, South 00° 13' 29" East, 408.93 feet, to the Southeastern corner of the Clemens property and a point on a Northern line of said ADDITION (313);

7. thence along the existing City Limits on said Northern line of ADDITION (313), South 85° 57' 31" West, 184.56 feet;

8. thence continuing along the existing City Limits on a Northeastern line of ADDITION (313), North 40° 51' 29" West, 221.79 feet;

9. thence continuing along the existing City Limits on a Northeastern line of ADDITION (313), North 62° 41' 10" West, 591.29 feet;

10. thence continuing along the existing City Limits on a Northern line of ADDITION (313), North 72° 05' 00" West, 75.40 feet;

11. thence continuing along the existing City Limits on an Eastern line of ADDITION (313), North 00° 33' 41" West, 150.44 feet, to the point of beginning containing 5.438 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-20

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR SHERWOOD FOREST ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Sherwood Forest Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

# CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Sherwood Forest

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

   Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   No

5. Other comments the city would like to make.

   Negotiation of property tax allocation will be necessary.

C/C Agenda January 11, 1983

CITY OF MODESTO

M E M O R A N D U M

Date: January 5, 1983

TO: City Manager

FROM: Director of Planning and Community Development

SUBJECT: PROPOSED SHERWOOD FOREST ANNEXATION

Boundaries: See attached map

Type of Annexation: Inhabited

Size of Annexation: 49.993

Elementary School District: Sylvan

Response of School District: Not Opposed

Fire District: McHenry - Dry Creek

Distance From Nearest City Fire Station: 2.0 miles from station No. 7

Current Land Use: Area is fully developed with single-family residences

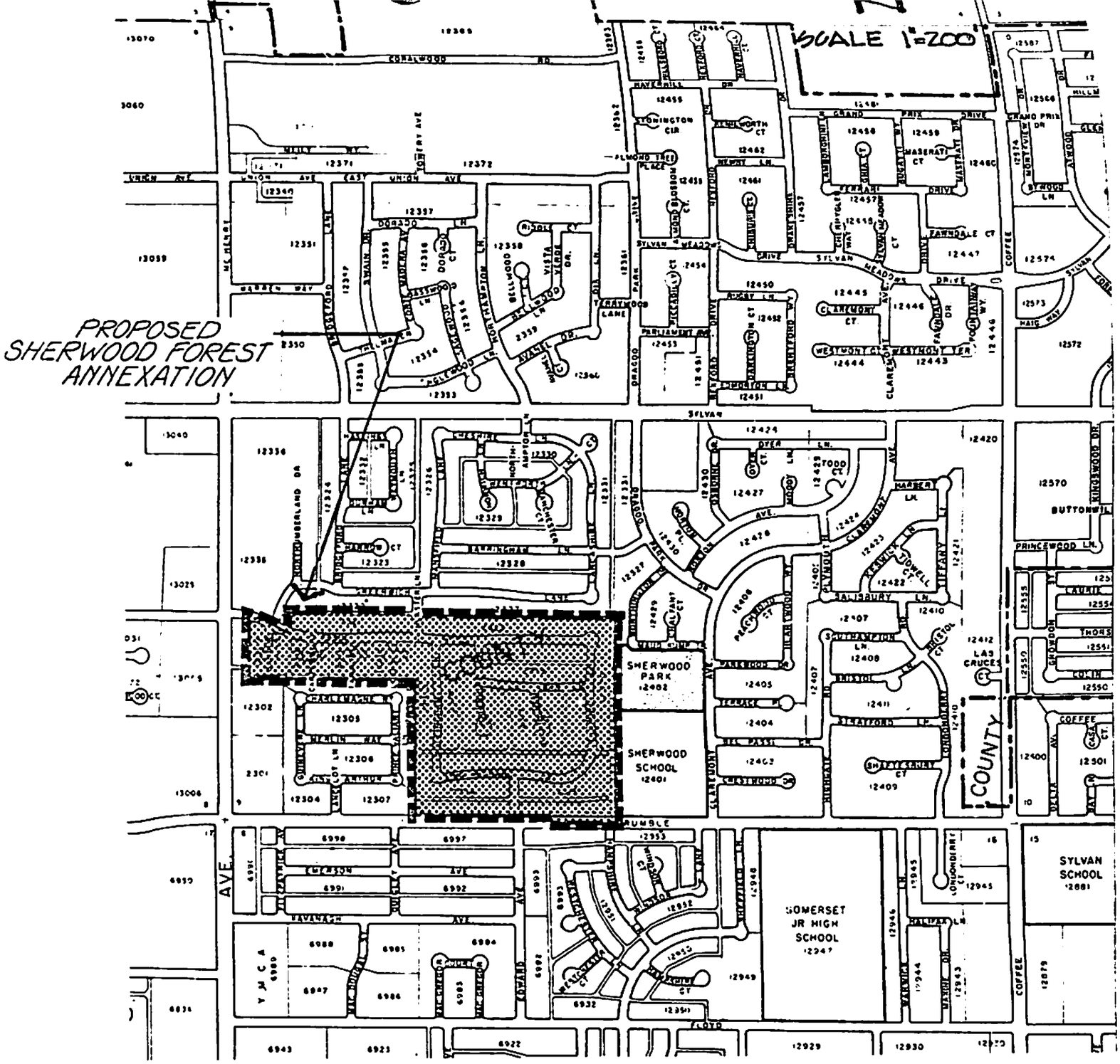
Anticipated Land Use: No Change

Water and Sanitary Sewer Service Availability: City sanitary sewer can be made available after annexation. The area is being served by Del Este Water Company.

The Planning staff believes that the proposed annexation can be served by all City services and is consistent with the City's annexation policy. It is recommended that the Council adopt a resolution supporting the proposed annexation for submission to the Local Agency Formation Commission. The completed LAFCO questionnaire is attached.

William S. Nichols

WSN/BH:wpc
Attachment
180/000-00020-3/12/79R

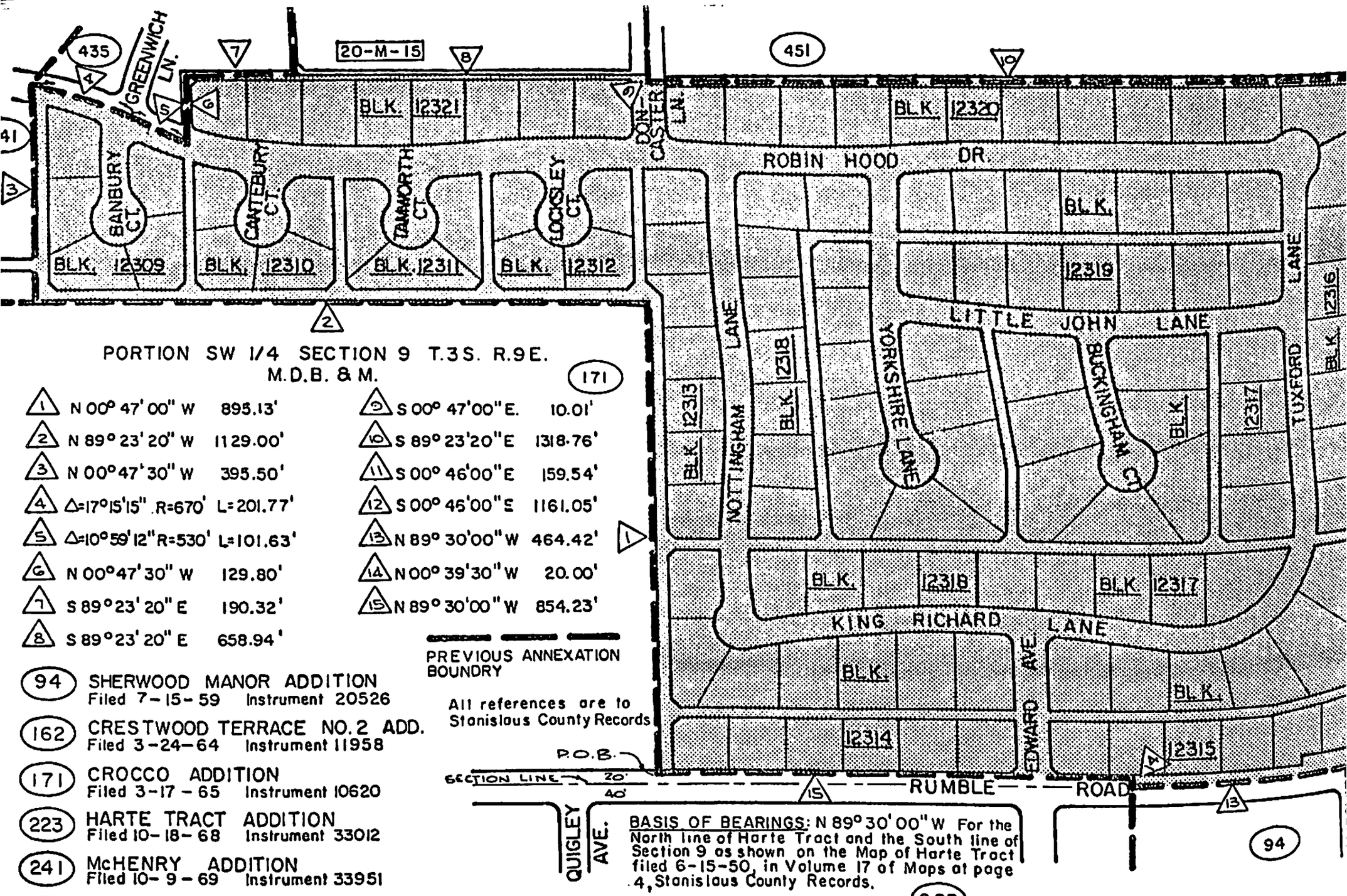



# PROPOSED

# SHERWOOD FOREST

# ANNEXATION

## TO THE CITY OF MODESTO




PORTION SW 1/4 SECTION 9 T.3S. R.9E. M.D.B. & M.

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| | | | |
|---|---|---|---|
| 1 | N 00° 47' 00" W | 895.13' | |
| 2 | N 89° 23' 20" W | 1129.00' | |
| 3 | N 00° 47' 30" W | 395.50' | |
| 4 | Δ=17° 15' 15" R=670' | L=201.77' | |
| 5 | Δ=10° 59' 12" R=530' | L=101.63' | |
| 6 | N 00° 47' 30" W | 129.80' | |
| 7 | S 89° 23' 20" E | 190.32' | |
| 8 | S 89° 23' 20" E | 658.94' | |
| 9 | S 00° 47' 00" E. | 10.01' | |
| 10 | S 89° 23' 20" E | 1318.76' | |
| 11 | S 00° 46' 00" E | 159.54' | |
| 12 | S 00° 45' 00" E | 1161.05' | |
| 13 | N 89° 30' 00" W | 464.42' | |
| 14 | N 00° 39' 30" W | 20.00' | |
| 15 | N 89° 30' 00" W | 854.23' | |

PREVIOUS ANNEXATION BOUNDRY

All references are to Stanislaus County Records

(94) SHERWOOD MANOR ADDITION
Filed 7-15-59 Instrument 20526

(162) CRESTWOOD TERRACE NO. 2 ADD.
Filed 3-24-64 Instrument 11958

(171) CROCCO ADDITION
Filed 3-17-65 Instrument 10620

(223) HARTE TRACT ADDITION
Filed 10-18-68 Instrument 33012

(241) McHENRY ADDITION
Filed 10-9-69 Instrument 33951

(275) CLAREMONT NO. 2 ADDITION
Filed 8-4-71 Instrument 29023

(435) NORTHUMBERLAND DR. GOV. REORGAN.
Filed 4-15-81 Instrument 61596

(451) SHERWOOD FOREST NO. 2 ADD.
Filed 6-21-82 Instrument 28536

20-M-15 ROBINHOOD ESTATES
Filed 5-31-62

BASIS OF BEARINGS: N 89° 30' 00" W For the North line of Harte Tract and the South line of Section 9 as shown on the Map of Harte Tract filed 6-15-50, in Volume 17 of Maps at page 4, Stanislaus County Records.

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# CITY OF MODESTO
# SHERWOOD FOREST ANNEXAT
## 49.993 ACRES

CITY OF MODESTO

IMPROVEMENT DISTRICT NO. 24

RESOLUTION NO. 83-21

RESOLUTION PROVIDING FOR THE ISSUANCE OF $459,116.08 PRINCIPAL AMOUNT OF "IMPROVEMENT BONDS, CITY OF MODESTO, IMPROVEMENT DISTRICT NO. 24"; PRESCRIBING THE DATE AND FORM OF SAID BONDS AND OF THE COUPONS TO BE ATTACHED THERETO AND PRESCRIBING THE MATURITIES THEREOF AND THE REDEMPTION PROVISION THEREFOR AND THE INTEREST RATES THEREON; AUTHORIZING THE EXECUTION OF SAID BONDS AND COUPONS; PROVIDING FOR THE COLLECTION OF ASSESSMENTS TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; PROVIDING FOR A RESERVE FUND FOR SAID BONDS; AND SELLING SAID BONDS

---

WHEREAS, the Council of the City of Modesto (the "City"), by Resolution of Intention No. 82-569 duly adopted on August 3, 1982, declared its intention to order the construction in the City of Modesto, California, of sanitary sewer mains, laterals, wyes and manholes and the reconstruction of pavement disturbed by such construction in and for an assessment district in the City to be designated

Improvement District No. 24, and further declared its intention to issue bonds under the Improvement Bond Act of 1915 to represent unpaid assessments, reference being hereby made to said Resolution of Intention for further particulars; and

WHEREAS, an assessment in said assessment district was thereafter duly confirmed, adopted and levied by Resolution No. 82-834 of this Council adopted on November 9, 1982, and said public improvements were thereby ordered to be made, and the assessment and diagram were duly recorded and notice thereof was duly recorded and the assessment became a lien upon the land upon which it was levied and became due and payable, all in the manner provided by law; and

WHEREAS, notice of recording said assessment was thereafter duly given to all persons owning property in said assessment district; and

WHEREAS, the Treasurer of the City thereafter made and filed with the Superintendent of Streets of the City and the City Clerk of the City a complete list of all unpaid assessments upon said assessment, showing unpaid assessments in the aggregate amount of $459,116.08, and said Treasurer has determined, and this Council hereby finds and determines, that said assessments so listed as unpaid upon said list of unpaid assessments are unpaid and that the aggregate amount thereof is said amount of $459,116.08;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Council of the City of Modesto, as follows:

Section 1. This Council has reviewed all proceedings heretofore taken relative to the foregoing and has found, as a result of such review, and does hereby find and determine that all acts, conditions and things required by law to exist, happen and be performed precedent to and in the issuance of bonds as hereinafter provided do exist, have happened and have been performed in due time, form and manner as required by law, and the City is now authorized pursuant to each and every requirement of law to issue bonds in the manner and form as in this resolution provided.

Section 2. Improvement bonds of the City in the aggregate principal amount of $459,116.08 shall be issued upon and shall represent and shall be secured by said unpaid assessments in accordance with the provisions of the Improvement Bond Act of 1915 to provide means (together with the payments previously made on said assessments and other moneys) for paying for the following improvements in City of Modesto, Improvement District No. 24, to wit:

> The construction in the City of sanitary sewer mains, laterals, wyes and manholes and the reconstruction of pavement disturbed by such construction in public streets and rights-of-way located in the following areas annexed to the City, namely: Standiford No. 2 Annexation; Northumberland Drive Governmental Reorganization; Collier-Trombetta Addition; East Coolidge No. 2 Addition; Sunnyside Annexation; Sunnyside No. 2 Annexation; Morningside-September

Annexation; Lance-Ellis Annexation; Haddon-El Vista Annexation; Carpenter Road No. 2 Annexation; Roselawn No. 2 Governmental Reorganization; Roselawn-Rouse Governmental Reorganization; Beverly-Harris Annexation; Whitmore No. 3 Annexation; Vine Street No. 2 Annexation; Sunrise Addition; Irons Court Addition; Coffee-Lucern No. 1 Addition; and Scenic-Coffee Annexation.

Section 3. Said $459,116.08 principal amount of bonds shall be issued as hereinafter set forth. The bonds shall be known as "Improvement Bonds, City of Modesto, Improvement District No. 24." The bonds shall be issued as coupon bonds, shall be payable to bearer, shall be numbered consecutively from 1 to 108, both inclusive, and shall be numbered, shall be of the denominations, shall be in the principal amount, shall mature and shall bear interest as set forth in Exhibit A attached hereto, which is incorporated herein and made a part hereof. The bonds shall be dated February 2, 1983 (which is hereby fixed and determined to be the date of issue of the bonds).

The bonds shall bear interest from their date until paid, payable on January 2, 1984 and semiannually thereafter on January 2 and July 2 of each year. Such interest shall be evidenced by coupons attached to each bond, which shall be numbered in consecutive numerical order from 1 upwards in the order of their respective maturities, and each of said coupons shall represent six months' interest (except the first coupon on the bonds, which shall represent eleven

months' interest) on the bond to which it is attached. The interest coupons on the bonds shall be payable on January 2, 1984 and thereafter semiannually on January 2 and July 2 of each year until and at the respective maturity dates of the bonds.

Both the principal of and interest on the bonds shall be payable in lawful money of the United States of America at the office of the Treasurer of the City in Modesto, California. The bonds may be registered as to principal and interest upon presentation of the same to said Treasurer, who shall cut off and cancel the coupons and make a notation thereon that the interest and principal are payable solely to the registered owner thereof. After registration, the bonds are not subject to deregistration.

Any bond may be redeemed on the second day of January or July in any year, at the option of the Treasurer of the City, upon payment of the principal amount thereof and interest accrued thereon to the date of redemption, together with a premium equal to five per cent (5%) of such principal amount; provided, however, that said Treasurer shall proceed pursuant to Part 11.1 of the Improvement Bond Act of 1915 in determining those bonds to be redeemed and the manner of the redemption thereof. Notice of redemption of any bond shall be given as provided in the Improvement Bond Act of 1915.

Section 4. The bonds and the coupons attached thereto shall each be in substantially the following form, the blanks in said form to be filled in with appropriate words or figures, namely:

[FORM OF BOND]

UNITED STATES OF AMERICA

STATE OF CALIFORNIA

COUNTY OF STANISLAUS

IMPROVEMENT BOND

CITY OF MODESTO

IMPROVEMENT DISTRICT NO. 24

No._____ $_____

Under and by virtue of the Improvement Bond Act of 1915, Division 10 of the Streets and Highways Code, the City of Modesto will on the second day of July, 19__, out of the redemption fund for the payment of the bonds issued upon assessments made for the improvements in an assessment district designated "City of Modesto, Improvement District No. 24," which said improvements and assessment district are more fully described in Resolution of Intention No. 82-569 passed by the Council of the City of Modesto on August 3, 1982, pay to the bearer the sum of

_____ DOLLARS ($_____)

with interest thereon from February 2, 1983, at the rate of _____ per cent (__%) per annum, all as is hereinafter specified, at the office of the Treasurer of the City of Modesto, in Modesto, California.

This bond is one of several annual series of bonds of like date, tenor and effect, but differing in amounts, maturities and interest rates, issued by said City under said law for the purpose of providing means for paying for the improvements described in said Resolution of Intention and is secured by the moneys in said redemption fund and by unpaid assessments made for the payment of said improvements, and, including principal and interest, is payable exclusively out of said fund.

The interest is payable semiannually, to wit: On the second day of January and July in each year hereafter, upon presentation of the proper coupons therefor; provided, that the first of said coupons is for the interest to the second day of January, 1984, and thereafter the interest coupons are for the semiannual interest.

This bond will continue to bear interest after maturity at the rate above stated; provided, it is presented at maturity and payment thereof is refused upon the sole ground that there are not sufficient moneys in said redemption fund with which to pay the same. If it is not presented at maturity, interest thereon will run until maturity.

This bond may be redeemed and paid in advance of maturity upon the second day of January or July in any year by giving the notice provided in said law and by paying principal and accrued interest together with a premium equal to five per cent (5%) of the principal.

IN WITNESS WHEREOF, the City of Modesto has caused this bond to be signed by the Treasurer of said City and by the City Clerk of said City and has caused said City Clerk to affix thereto its corporate seal, all on the 2nd day of February, 1983.

_____

Treasurer of
the City of Modesto

[SEAL]

_____

City Clerk of
the City of Modesto

[FORM OF COUPON]

Coupon No. __

On the second day of _____, ____ the City of Modesto will pay to bearer hereof at the office of the Treasurer of the City of Modesto, in Modesto, California, out of the redemption fund referred to in the hereinafter mentioned bond, the sum set forth hereon, being interest then due on Improvement Bond, City of Modesto, Improvement District No. 24, dated February 2, 1983, $_____ No. _____

_____

Treasurer of
the City of Modesto

Section 5. The Treasurer of the City and the City Clerk of the City are hereby authorized and directed, respectively, as such officers to execute each of the bonds on behalf of the City, and said City Clerk is hereby authorized and directed to affix the official seal of the City thereto. Such seal may be printed, engraved, lithographed or otherwise placed by facsimile thereon. Said Treasurer is hereby authorized to cause the bonds to be signed by printed, lithographed or engraved facsimile signature, and said Treasurer is hereby authorized and directed to cause each of the interest coupons to be signed by printed, lithographed or engraved facsimile signature. Such signing and sealing as herein provided shall be a sufficient and binding execution of the bonds and coupons by the City. In case any of such officers whose signature appears on the bonds or coupons shall cease to be such officer before the delivery of the bonds to the purchaser, such signature shall nevertheless be valid and sufficient for all purposes the same as though he had remained in office until the delivery of the bonds.

Section 6. Said unpaid assessments in the aggregate amount of $459,116.08, as shown on said list hereinabove referred to and as determined by said Treasurer and this Council, together with interest thereon computed at the rate specified in the bonds (which shall begin to run from the date of the bonds), shall remain and constitute a

trust fund for the redemption and payment of the principal of the bonds and for the interest due thereon, and said assessments and each installment thereof and the interest and penalties thereon shall constitute a lien against the lots and parcels of land on which they are made, until the same be paid. The Auditor of the City shall annually make a record in his office showing the several installments of principal and interest on said assessments which are to be collected for the forthcoming year during the term of the bonds. An annual installment of said unpaid assessments shall be payable and shall be collected in each year corresponding in amount to the amount of bonds unpaid and to accrue that year, which amount shall be sufficient to pay the bonds as the same become due, and an annual installment of interest on said unpaid assessments shall be payable and shall be collected in each year corresponding in amount to the amount of interest which will accrue on the bonds outstanding for such year, and which shall be sufficient to pay the interest coupons thereof that shall become due in the next succeeding January and July. The annual proportion of each assessment coming due in any year, together with the annual interest on such assessment, shall be payable in the same manner and at the same time and in the same installments as the general taxes of the County of Stanislaus on real property are payable, and said assessment installments and said annual interest on the

assessment shall be payable and become delinquent on the same dates and in the same proportionate amounts and bear the same proportionate penalties and interest after delinquency as do the general taxes on real property in the County of Stanislaus.

This Council hereby covenants with the holders of the bonds that in the event any assessment, or installment thereof, including any interest thereon, is not paid when due, it will order and cause to be commenced within one hundred eighty (180) days following the date of delinquency, and thereafter diligently prosecute, judicial foreclosure proceedings upon such delinquent assessment or installment thereof and interest thereon, which foreclosure proceedings shall be commenced and prosecuted without regard to available surplus funds of the City, including money available in the Reserve Fund provided in Section 9 of this resolution.

Section 7. There is hereby created and established a fund to be known as the "City of Modesto, Improvement District No. 24 Improvement Bond Redemption Fund," which shall be kept by the Treasurer of the City. All sums received by said Treasurer from the collection of said unpaid assessments, and of the interest and penalties thereon, shall upon collection be forthwith paid into said fund, and all sums to become due for the principal of and the interest on the bonds shall be paid from said fund, and the bonds and the interest thereon shall not be paid out of any other funds

(except the Reserve Fund provided in Section 9 of this resolution). Any surplus remaining in said fund after payment of all bonds and the interest thereon shall be applied as authorized by law.

Section 8. There is hereby created and established a fund to be known as the "City of Modesto, Improvement District No. 24 Improvement Fund," which shall be kept by the Treasurer of the City. All proceeds of the sale of the bonds shall be placed by said Treasurer to the credit of said fund and shall be kept separate and distinct from all other funds of the City. There shall likewise be paid into said fund all payments heretofore made upon the assessment levied as above recited, and any other moneys available to pay the cost of the improvements referred to in Section 2 of this resolution. All moneys in said fund may, and upon direction of this Council shall, be invested in any lawful investments maturing not later than the date on which such moneys are required for disbursement as herein provided. All interest earned on such investments shall be credited to said fund. The moneys in said fund shall be applied exclusively for the purpose of paying the cost of the improvements referred to in Section 2 of this resolution, including payment of the incidental expenses in connection with such improvements; provided, however, that after completion of said improvements and the payment of all claims from said fund, any surplus

moneys remaining in said fund (as determined by this Council) shall be credited upon the unpaid assessments in the manner provided in Section 10427.1 of the Streets and Highways Code.

Section 9. There is hereby created and established a separate fund to be known as the "City of Modesto, Improvement District No. 24 Improvement Bond Reserve Fund," which fund shall be kept by the Treasurer of the City and which shall constitute a trust fund for the benefit of the holders of the bonds. There shall be deposited in said fund an amount equal to ten per cent (10%) of the total principal amount of the bonds, and all money in said fund shall be applied as provided in Part 16 of said Improvement Bond Act of 1915 for transfer into the Redemption Fund provided for in Section 7 of this resolution; provided that if at any time the amount in said fund (including the investment income thereof) shall exceed an amount equal to fifteen per cent (15%) of the principal amount of the bonds less the discount specified therefor, such excess shall be credited upon the unpaid assessments in the manner provided in Section 10427.1 of the Streets and Highways Code or shall be applied to the advance retirement of the bonds in the manner provided in the Improvement Bond Act of 1915. Whenever the balance in said fund is sufficient to retire all outstanding bonds, such balance shall be credited upon the unpaid assessments in the manner set forth in Section 10427.1 of the Streets and Highways Code.

Section 10. The bonds are hereby sold to Stone & Youngberg at a price of Four Hundred Thirty-Eight Thousand Four Hundred Fifty-Five and Eighty-Six Hundredths Dollars ($438,455.86), plus accrued interest.

Section 11. This Council hereby covenants with the holders of all the bonds at any time outstanding that it will make no use of the proceeds of the bonds which will cause the bonds to be "arbitrage bonds" subject to federal income taxation by reason of Section 103(c) of the Internal Revenue Code of 1954. To that end, so long as any of the bonds are outstanding, this Council, with respect to the proceeds of the bonds, shall comply with all requirements of said Section 103(c) and all regulations of the United States Department of the Treasury issued thereunder to the extent that such requirements are, at the time, applicable and in effect.

Section 12. The City Clerk of the City is directed to cause a sufficient number of blank bonds and coupons of suitable quality to be lithographed, printed or engraved, and to cause the blank spaces thereof to be filled in to comply with the provisions hereof, and to procure their execution by the proper officers, and to deliver them, when so executed, to the Treasurer of the City, who shall deliver them to the purchaser thereof, on receipt of the purchase price. Said City Clerk and said Treasurer are further authorized and directed to make, execute and deliver to the purchaser of the bonds a signature and no-litigation certificate in the form

customarily required by purchasers of municipal bonds, certifying to the genuineness and due execution of the bonds and further certifying to all facts within their knowledge relative to any litigation which may or might affect the City or said assessment district, or said officers or the bonds, and said Treasurer is further authorized and directed to make, execute and deliver to the purchaser of the bonds a receipt in the form customarily required by purchasers of municipal bonds, evidencing the payment of the purchase price of the bonds, which receipt shall be conclusive evidence that said purchase price has been paid and has been received by the City. Any purchaser or subsequent taker or holder of the bonds is hereby authorized to rely upon and shall be justified in relying upon such signature and no-litigation certificate and such receipt with respect to the bonds executed, sold and delivered pursuant to the authority of this resolution.

Section 13. This resolution shall take effect immediately.

## EXHIBIT A

| Bond Numbers (Inclusive) | Denomination | Principal Amount | Maturity Date (July 2) | Interest Rate |
|---|---|---|---|---|
| 1 | $ 4,116.08 | $ 4,116.08 | 1984 | 9.25% |
| 2 | 5,000.00 | 5,000.00 | 1984 | 9.25 |
| 3 - 5 | 5,000.00 | 15,000.00 | 1985 | 9.25 |
| 6 - 9 | 5,000.00 | 20,000.00 | 1986 | 9.25 |
| 10 - 13 | 5,000.00 | 20,000.00 | 1987 | 9.25 |
| 14 - 17 | 5,000.00 | 20,000.00 | 1988 | 9.25 |
| 18 - 22 | 5,000.00 | 25,000.00 | 1989 | 9.25 |
| 23 - 27 | 5,000.00 | 25,000.00 | 1990 | 9.25 |
| 28 - 37 | 1,000.00 | 10,000.00 | 1991 | 10 |
| 38 - 41 | 5,000.00 | 20,000.00 | 1991 | 10 |
| 42 - 51 | 1,000.00 | 10,000.00 | 1992 | 10 |
| 52 - 55 | 5,000.00 | 20,000.00 | 1992 | 10 |
| 56 - 62 | 5,000.00 | 35,000.00 | 1993 | 10 |
| 63 - 70 | 5,000.00 | 40,000.00 | 1994 | 10 |
| 71 - 78 | 5,000.00 | 40,000.00 | 1995 | 10.75 |
| 79 - 87 | 5,000.00 | 45,000.00 | 1996 | 10.75 |
| 88 - 97 | 5,000.00 | 50,000.00 | 1997 | 10.75 |
| 98 - 108 | 5,000.00 | 55,000.00 | 1998 | 10.75 |

PASSED AND ADOPTED this 11th day of January, 1983,

by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers | None |
| ABSENT: | Councilmembers | None |

ATTEST: Norma Coyle
City Clerk of the City of Modesto

[Seal]

APPROVED AS TO FORM

Elwyn L. Johnson, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-22

A RESOLUTION APPROVING A REVISED AND UPDATED AIRPORT EMERGENCY OPERATIONAL LETTER OF AGREEMENT BETWEEN THE CITY OF MODESTO AND THE FEDERAL AVIATION ADMINISTRATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the revised and updated Airport Emergency Operational Letter of Agreement between the City of Modesto and the Federal Aviation Administration be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-23

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** WILLIAM L. MAIN, INC. DBA: SECURITY TRANSPORT, FOR THEIR OPERATION AT THE AIRPORT AS AN AIR TAXI

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** William L. Main, Inc. dba: Security Transport, for their operation at the Airport as an air taxi, for the purpose of raising the landing fees for air taxi and to update language in our agreements to conform to FAA requirements

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** January**, 19**83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-24

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** CAROLYN GENUNG FOR THE LEASE OF THE ACME CLEANERS STORE AT 1815 H STREET

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Carolyn Genung for the lease of the Acme Cleaners Store at 1815 H Street

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** January, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-25

TERMINATION OF
**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** RUSSELL AND JEAN TAYLOR FOR LEASE OF THE ACME CLEANERS STORE AT 1815 H STREET

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
termination of
**that the/agreement between the City of Modesto and** Russell and Jean Taylor for the lease of the Acme Cleaners Store at 1815 H Street

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** January, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-26

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** DON L. THIEL FOR THE LEASE OF THE FORMER MENDONCA PROPERTY AT 608 - 610 10TH STREET

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Don L. Thiel for the lease of the former Mendonca property at 608 - 610 10th Street **be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** January**, 19** 83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-27

A RESOLUTION ASSIGNING A PARKING LEASE TO NATIONAL MEDICAL ENTERPRISES FOR USE OF A PORTION OF THE LINCOLN SCHOOL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the assignment of a parking lease from the Modesto City Hospital to National Medical Enterprises for use of a portion of the Lincoln School site, to expire December 31, 1983, be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-28

A RESOLUTION APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT (TIMOTHY S. FISHER)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Board of Zoning Adjustment for the respective term as indicated:

Timothy S. Fisher
1300 Marilyn Avenue
Modesto, Ca. 95350

Term expires 1/1/87

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Board of Zoning Adjustment and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 19 83, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-29

**A RESOLUTION APPOINTING MEMBER OF THE** CULTURE COMMISSION (KENNETH M. SAVAGE, JR.)

**WHEREAS,** Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Modesto as follows:

**SECTION 1.** The following person is hereby appointed to the Culture Commission for the respective term as indicated:

Kenneth M. Savage, Jr.
14425 Orange Blossom Road
Oakdale, Ca. 95361
Term to expire 1/1/86

**SECTION 2.** The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Culture Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 19 83, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** **Councilmembers:** Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

**NOES:** **Councilmembers:** None

**ABSENT:** **Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-30

A RESOLUTION AMENDING PARAGRAPH "3" OF RESOLUTION NO. 82-904 RELATING TO THE AMOUNT OF INSURANCE REQUIRED FOR USE OF THE CITY OF MODESTO PARKING GARAGE ON 11TH STREET FOR A NEW CAR SHOW ON JANUARY 15 AND 16, 1983.

WHEREAS, by Resolution No. 82-904 adopted on December 21, 1982, the Council of the City of Modesto granted permission for use of the first floor of the parking garage on 11th Street for a new car show on January 15 and 16, 1983, subject to certain conditions, and

WHEREAS, paragraph "3" of said resolution required a policy of public liability insurance with a combined single limit of at least Five Million and no/100ths Dollars ($5,000,000.00) per occurrence for bodily injury, sickness and disease, including death resulting therefrom, and for property damage, and

WHEREAS, the credit unions which are sponsors of said new car show are only able to provide insurance coverage in an amount of One Million and no/100ths Dollars ($1,000,000.00), and

WHEREAS, in the opinion of the City's Risk Manager, insurance coverage in the amount of One Million and no/100ths Dollars ($1,000,000.00) is sufficient,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that paragraph "3" of Resolution No. 82-904 adopted by this Council on December 21, 1982, is hereby amended to read as follows:

"3. The California State Employees Credit Union No. 19, the M.O.C.S.E. Federal Credit Union and the Gallo Employees Federal Credit Union shall maintain at least through January 15 and 16, 1983, a policy of public liability insurance covering any and all claims for injuries to persons or damage to property arising out of the

new car show to be conducted on 11th Street between I and J Streets and in the first floor of the City of Modesto parking garage on 11th Street, on said dates. Said policy of insurance shall have a combined single limit of at least One Million and no/100ths Dollars ($1,000,000.00) per occurrence for bodily injury, sickness and disease, including death resulting therefrom, and for property damage. The policy of insurance so provided shall contain a contractual liability endorsement covering the liability assumed by the California State Employees Credit Union No. 19, the M.O.C.S.E. Federal Credit Union and the Gallo Employees Federal Credit Union under the terms of this resolution. Copies of the policy of insurance or certificates evidencing the same shall be filed with the City Clerk."

BE IT FURTHER RESOLVED that the City Clerk shall furnish a representative of the California State Employees Credit Union No. 19, the M.O.C.S.E. Federal Credit Union and the Gallo Employees Federal Credit Union with a copy of this resolution. The California State Employees Credit Union No. 19, the M.O.C.S.E. Federal Credit Union and the Gallo Employees Federal Credit Union shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and evidence of the insurance required above are filed with the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-31

A RESOLUTION ESTABLISHING A SEWER BOND REDEMPTION CHARGE INSPECTION FEE.

WHEREAS, Section 5-6.04 of the Modesto Municipal Code provides for a schedule of charges for inspection of property to determine the acreage to be used in determining the sewer bond redemption charge imposed by said section, and

WHEREAS, the Council is desirous of establishing a fee to cover the cost of said inspections, and

WHEREAS, City staff has recommended that a fee of Sixteen and no/100ths ($16.00) Dollars for each inspection be established, and

WHEREAS, the City Council held a public hearing at its regular meeting on January 18, 1983, to consider the recommended fee,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby establishes a Sewer Bond Redemption Charge Inspection Fee in the amount of Sixteen and no/100ths ($16.00) Dollars to be charged for each inspection of property to determine the acreage to be used in determining the sewer bond redemption charge imposed by Section 5-6.04 of the Modesto Municipal Code.

BE IT FURTHER RESOLVED that this resolution shall become effective upon adoption.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the

resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-32

A RESOLUTION ESTABLISHING A SUBTRUNK SEWER EXTENSION CHARGE INSPECTION FEE.

WHEREAS, Section 5-6.06 of the Modesto Municipal Code, as amended by Ordinance No. 2169-C.S., introduced by the Council on the 18th day of January, 1983, provides for a schedule of fees to be charged for inspection of property to determine the acreage to be used in determining the subtrunk sewer extension charge imposed by said section, and

WHEREAS, the Council is desirous of establishing a fee to cover the cost of said inspections, and

WHEREAS, City staff has recommended that a fee of Sixteen and no/100ths ($16.00) Dollars for each inspection be established, and

WHEREAS, the City Council held a public hearing at its regular meeting on January 18, 1983, to consider the recommended fee,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that it hereby establishes a Subtrunk Sewer Extension Charge Inspection Fee in the amount of Sixteen and no/100ths ($16.00) Dollars to be charged for each inspection of property to determine the acreage to be used in determining the subtrunk sewer extension charge imposed by Section 5-6.06 of the Modesto Municipal Code.

BE IT FURTHER RESOLVED that this resolution shall become effective on and after the effective date of Ordinance No. 2169-C.S, introduced by the Council on the 18th day of January, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-33

A RESOLUTION ADOPTING AN AMENDMENT TO THE MODESTO URBAN AREA GENERAL PLAN TO ADD AN UPDATED OPEN SPACE AND RECREATION ELEMENT AND CERTIFYING COPIES THEREOF TO THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS AND TO THE CITY COUNCILS OF THE CITIES OF CERES AND RIVERBANK.

WHEREAS, pursuant to the provisions of the Government Code of the State of California, the Modesto City Planning Commission is charged with the responsibility of recommending to the City Council a comprehensive, long-term general plan for physical development of the city and land outside its boundaries which, in the Commission's judgment, bears relating to its planning, and

WHEREAS, a General Plan for the City of Modesto entitled "Modesto-Ceres-Empire Area General Plan", was recommended by the Modesto City Planning Commission and adopted by the Council of the City of Modesto by Resolution No. 59-33 on January 23, 1959, and

WHEREAS, thereafter the Planning Commission of the City of Modesto determined and found that amendments to said adopted General Plan of the City of Modesto and surrounding urban area were in the public interest, and said General Plan was amended by Modesto City Council resolutions:

No. 65-695 adopted on December 27, 1965 (Land Use, Public Facilities and Circulation)
No. 70-235, adopted on March 16, 1970 (Housing Element, Phase #1)
No. 72-1042, adopted on October 2, 1972 (Interim Open Space Plan)
No. 73-671, adopted on August 6, 1973 (Open Space and Recreation Elements)
No. 74-651, adopted on August 5, 1974 (Land Use and Circulation Elements)
No. 75-364, adopted on March 10, 1975 (Phase Two Housing Element)
No. 75-638, adopted on June 9, 1975 (Safety, Scenic Highways and Seismic Safety Elements)
No. 76-906, adopted on July 26, 1976 (Housing Element, Phase #3)
No. 77-724, adopted on July 11, 1977 (Amended Land Use and Circulation Elements Map with Text Amendment on Storm Drains)

No. 77-765, adopted on July 25, 1977 (Amendment to Land Use and Circulation Elements Map - Orchard Neighborhood)
No. 78-854, adopted on August 14, 1978 (Conservation Element)
No. 78-855, adopted on August 14, 1978 (Noise Element)
No. 80-322, adopted on April 8, 1980 (Amendment to Land Use and Circulation Elements Map - College West Neighborhood)
No. 80-636, adopted on July 1, 1980 (Amendment to Land Use and Circulation Elements Map)
No. 81-50, adopted on January 27, 1981 (Amendment to Housing Element)
No. 81-419, adopted on May 26, 1981 (Amendment to Land Use and Circulation Elements Map)
No. 81-801, adopted on September 15, 1981 (Amendment to Housing Element)
No. 82-457, adopted on June 22, 1982 (Amendment to Land Use and Circulation Elements Map), and

WHEREAS, the Planning Commission held a public hearing on December 20, 1982, on an amendment to the Modesto Urban Area General Plan to add an updated Open Space and Recreation Element, at which hearing evidence, both oral and documentary, was received and considered, and

WHEREAS, the Planning Commission has found and determined that the addition of an updated Open Space and Recreation Element to the Modesto Urban Area General Plan would be in the interest of the general welfare in that the updated Open Space and Recreation Element is a statement of current open space and recreation issues in the Modesto Urban Area and sets forth open space and recreation goals for such urban area, and

WHEREAS, the Planning Commission by Resolution No. 82-192, adopted on December 20, 1982, has approved and recommended to the City Council an amendment to the Modesto Urban Area General Plan, to add an updated Open Space and Recreation Element, and

WHEREAS, the City Council held a public hearing on said amendment, as approved and recommended by the Planning Commission, on January 18, 1983, at 4:00 p.m., in the City Council Chambers, in City Hall, Modesto, California, as required by law, and

WHEREAS, the Council has received and reviewed the findings of the City of Modesto Environmental Assessment Committee, which resulted in a Negative Declaration as to the environmental impact of the subject amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the adoption of an amendment to the adopted General Plan of the City of Modesto and the surrounding urban area by the addition of an updated Open Space and Recreation Element is required for the public health, safety and general welfare, and for the reason found by the Planning Commission, set forth hereinabove.

BE IT FURTHER RESOLVED by the Council that it does hereby adopt an amendment to the adopted General Plan of the City of Modesto and surrounding urban area by the adoption of the updated "Open Space and Recreation Element" dated January 18, 1983, a copy of which is on file in the office of the Director of Planning and Community Development and in the office of the City Clerk.

BE IT FURTHER RESOLVED that the "Open Space and Recreation Element - Modesto Urban Area General Plan, August 1977" adopted by Modesto City Council Resolution No. 73-671 is hereby rescinded.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject amendment.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to certify a copy of said updated "Open Space and Recreation Element" dated January 18, 1983, to the Board of Supervisors of the County of Stanislaus, the City Council of the City of Ceres, and the City Council of the City of Riverbank.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-34

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR IMPROVEMENTS AT OAKDALE ROAD AND SYLVAN AVENUE (PRIMARILY THE INSTALLATION OF TRAFFIC SIGNALS)

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the improvements at Oakdale Road and Sylvan Avenue, primarily the installation of traffic signals copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 8, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-35

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE MCHENRY MANSION RESTORATION, FIRST FLOOR, PHASE II

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the McHenry Mansion Restoration, First Floor, Phase II copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 15, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-36

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $60,000 TO COVER THE COST OF THE COST OF THE MCHENRY MANSION RESTORATION, FIRST FLOOR, PHASE II PROJECT

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Contingency for Pending Reserve Projects (61-04 8911) | $60,000 |
| TO: | McHenry Mansion Restoration (6726.00 7101) | $60,000 |

This transfer is necessary to cover the first floor, phase 2 contract, for the McHenry Mansion Restoration.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 18th **day of** January, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-37

A RESOLUTION ACCEPTING THE BID OF THE HERTZ CORPORATION FOR FURNISHING SEVEN USED CARS

WHEREAS, Resolution No. 82-892, adopted by the Council of the City of Modesto on December 14, 1982, approved the plans and specifications for the purchase of used sedans and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of used sedans were opened at 2:00 p.m. on January 4, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of The Hertz Corporation in the amount of $48,442 for seven used cars be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Hertz Corporation in the amount of $48,442 for seven used cars be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-38

A RESOLUTION ACCEPTING THE BID OF ELECTRO CONTROLS AND ENCLOSURES, INC. FOR FURNISHING FOUR PUMP CONTROL CABINETS AND THREE PRESSURE TRANSMITTERS

WHEREAS, Resolution No.82-799, adopted by the Council of the City of Modesto on October 26, 1982 , approved the plans and specifications for the purchase of pump control cabinets and pressure transmitters and authorized the calling for bids; and

WHEREAS, the bids received for the purchase of pump control cabinets and pressure transmitters were opened at 2:00 p.m. on November 23, 1982 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Electro Controls and Enclosures, Inc. in the amount of $7,515.40 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Electro Controls and Enclosures, Inc. in the amount of $7,515.40 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January , 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-39

A RESOLUTION PROVIDING FOR THE DEFENSE OF ACTIONS FOR RECOVERY OF TAXES AND DESIGNATING THE COUNTY OF STANISLAUS AS AGENT FOR SERVICE OF PROCESS IN TAX ACTIONS.

WHEREAS, Revenue and Taxation Code Section 5149 provides that any city for which county officers collect taxes may provide for the defense by counsel for the county of actions brought against a city for refund of taxes, if the city has designated the county as its agent for service of process for such actions, and

WHEREAS, the City Council of the City of Modesto desires to have the County of Stanislaus provide the defense in actions for refund of taxes, and

WHEREAS, the City Council of the City of Modesto recognizes and agrees that the County of Stanislaus may, in its discretion, provide such defense by its County Counsel or by designating other counsel, including private counsel retained for such case,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto hereby designates the County of Stanislaus as its agent for service of process for any and all actions brought against the City of Modesto under Article 2 of Chapter 5 of Part 9 of the California Revenue and Taxation Code (Sections 5140 et seq.).

BE IT FURTHER RESOLVED that the City of Modesto hereby provides for the defense by counsel for the County of Stanislaus of actions brought against the City of Modesto under Article 2 of Chapter 5 of Part 9 of the California Revenue and Taxation Code (Sections 5140 et seq.).

BE IT FURTHER RESOLVED that the City of Modesto will pay its proportionate share of the fees imposed by the County of Stanislaus to cover the costs incurred in defending the City of Modesto pursuant to Section 5149 of the California Revenue and Taxation Code and this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-40

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE McHENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Robin Hood Estates Annexation to the City of Modesto by Resolution No. 82-889 adopted on December 14, 1982, and said annexation officially became a part of the City of Modesto on January 13, 1983, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1983.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Rod Campbell
Public Works Department

CITY OF MODESTO

ROBINHOOD ESTATES ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), as per description filed April 15, 1981, as Instrument 61596, Stanislaus County Records, said point being the intersection of the center line of a 20.00 foot East-West alley in Block 12322 with the Western line of a 14.00 foot North-South alley in Block 12322 as dedicated by the final map of ROBINHOOD ESTATES Subdivision, as per map filed May 31, 1962, in Volume 20 of Maps, Page 15, Stanislaus County Records;

1. thence along the existing City Limits on an Eastern line of said NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), North 00° 46' 42" West, 459.22 feet, to the Northeastern corner of said REORGANIZATION (435) and a Southeastern corner of the McHENRY-SYLVAN NO. 2 ADDITION (353), as per description filed March 1, 1977, as Instrument 51027, Stanislaus County Records;

2. thence continuing along the existing City Limits on an Eastern line of said ADDITION (353), North 00° 46' 42" West, 854.45 feet, to the Northeastern corner of said ADDITION (353) and a point on the Southern line of the McHENRY-SYLVAN ADDITION (276), as per description filed October 15, 1971, as Instrument 39501, Stanislaus County Records;

3. thence continuing along the existing City Limits on said Southern line of ADDITION (276), said line being the East-West quarter section line of said Section 9, South 89° 16' 38" East, 659.09 feet, to the Northwestern corner of the SHERWOOD FOREST NO. 2 ADDITION (451), as per description filed June 21, 1982, as Instrument 28536, Stanislaus County Records;

4. thence continuing along the existing City Limits on the Western line of said ADDITION (451), South 00° 46' 24" East, 1312.38 feet, to its intersection with the Easterly extension of said centerline of the 20.00 foot East-West alley in Block 12322;

5. thence leaving the existing City Limits and along said Easterly extension of and said center line of the 20.00 foot East-West alley in Block 12322, North 89° 23' 20" West, 658.94 feet, to the point of beginning, containing 19.858 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-41

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (ROBIN HOOD ESTATES ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 82-889 on December 14, 19 82, certain territory known as Robin Hood Estates Annexation to the City of Modesto, and

WHEREAS, the inclusion of the area contained in Robin Hood Estates Annexation to the City of Modesto to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Robin Hood Estates Annexation to the City of Modesto (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 235.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, March 1, 1983, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 235.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) At the northwest corner of the annexation on the southern line of Sylvan Avenue and the east line of the north-south alley in Block 12324.

(2) On the western line of the annexation on the southern line of Greenwich Lane and the east line of the north-south alley in Block 12322.

(3) At the southeast corner of the annexation on the west line of Doncaster Lane and the north line of the east-west alley in Block 12322.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 235, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers None

ABSENT: Councilmembers Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

August 2, 1984

CITY OF MODESTO

ROBINHOOD ESTATES ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), as per description filed April 15, 1981, as Instrument 61596, Stanislaus County Records, said point being the intersection of the center line of a 20.00 foot East-West alley in Block 12322 with the Western line of a 14.00 foot North-South alley in Block 12322 as dedicated by the final map of ROBINHOOD ESTATES Subdivision, as per map filed May 31, 1962, in Volume 20 of Maps, Page 15, Stanislaus County Records;

1. thence along the existing City Limits on an Eastern line of said NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), North 00° 46' 42" West, 459.22 feet, to the Northeastern corner of said REORGANIZATION (435) and a Southeastern corner of the McHENRY-SYLVAN NO. 2 ADDITION (353), as per description filed March 1, 1977, as Instrument 51027, Stanislaus County Records;

2. thence continuing along the existing City Limits on an Eastern line of said ADDITION (353), North 00° 46' 42" West, 854.45 feet, to the Northeastern corner of said ADDITION (353) and a point on the Southern line of the McHENRY-SYLVAN ADDITION (276), as per description filed October 15, 1971, as Instrument 39501, Stanislaus County Records;

3. thence continuing along the existing City Limits on said Southern line of ADDITION (276), said line being the East-West quarter section line of said Section 9, South 89° 16' 38" East, 659.09 feet, to the Northwestern corner of the SHERWOOD FOREST NO. 2 ADDITION (451), as per description filed June 21, 1982, as Instrument 28536, Stanislaus County Records;

4. thence continuing along the existing City Limits on the Western line of said ADDITION (451), South 00° 46' 24" East, 1312.38 feet, to its intersection with the Easterly extension of said centerline of the 20.00 foot East-West alley in Block 12322;

5. thence leaving the existing City Limits and along said Easterly extension of and said center line of the 20.00 foot East-West alley in Block 12322, North 89° 23' 20" West, 658.94 feet, to the point of beginning, containing 19.858 Acres, more or less.

# CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on January 18, 1983, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Bright, seconded by Councilmember Lang, and adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: January 18, 1983

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-42

RE-
A RESOLUTION /APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT AS PLANNING COMMISSION REPRESENTATIVE (CAROLE DAVIS)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

re-
SECTION 1. The following person is hereby/appointed to the representative
Board of Zoning Adjustment as the Planning Commission / for the respective term as indicated:

Carole Davis
Term to expire December 31, 1983

SECTION 2. The City Clerk is hereby directed to transmit a copy re-
of this resolution to the newly /appointed member of the Board of Commission representative
Zoning Adjustment as the Planning / and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-43

**A RESOLUTION APPOINTING MEMBER OF THE** AIRPORT ADVISORY COMMITTEE
(KAREN GRENBEAUX)

**WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:**

**SECTION 1. The following person is hereby appointed to the** Airport Advisory Committee **for the respective term as indicated:**

Karen Grenbeaux
216 Fusco Avenue
Modesto, Ca. 95354
Term to expire 1/1/87

**SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the** Airport Advisory Committee **and the Secretary thereof.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 18th **day of** January, 19 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-44

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (336).

WHEREAS, a verified application for an amendment to Sections 7-4-9 and 8-4-9 of the Zoning Map was filed by Martin Teunissen on November 23, 1982, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that real property situate in the southwest quarter of Section 8 and the southeast quarter of Section 7, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the southwest corner of said Section 8, said point being on the centerline of 40.00 foot wide Whitmore Avenue; thence North 89° 50' West along said centerline a distance of 14.00 feet; thence North 0°03'02" East along a line 14.00 feet westerly and parallel to the Section line common to Section 7 and 8 a distance of 1329.41 feet to a point on the 1/4 1/4 section line also being the westerly extension of the southern line of the Rutherford Tract, as per map filed March 19, 1947, in Volume 16 of Maps, Page 37, Stanislaus County Records; thence along said extension and Southern line, South 89°20' 00" East, 1334.75 feet; thence leaving the south line of said Rutherford Tract and along the East line of the Southwest quarter of the Southwest quarter of Section 8, South 00°10'40" West, 1022.97 feet, to the northeast corner of Parcel A as shown on that certain parcel map recorded August 11, 1971 in Book 12 of Parcel Maps, at Page 23, Stanislaus County Records; thence along the North line of said Parcel A, North 89°29' West, 235.00 feet, to the northwest corner of said Parcel A; thence South 0°10'40" West, 300.00 feet, to the South line of Section 8 and the center line of said Whitmore Avenue; thence along said south line and center line, North 89°29'00" West, 1086.63 feet, to the point of beginning.

WHEREAS, after public hearing held on January 3, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed mobilehome park is located at the intersection of a major street and a collector street which are able to carry the traffic generated by the development.

2. The proposed mobilehome park will offer an alternate type of housing in this part of Modesto.

WHEREAS, after a public hearing held on January 25, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Martin Teunissen for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2172-C.S. on the 25th day of January, 1983, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(336).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(336) is hereby approved subject to the following conditions:

1. All development shall conform to the revised plot plan titled "Hillview Mobile Home Park. Site Plan" as amended in red, stamped approved by the Planning Commission on January 3, 1983.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Landscaping shall be installed along the Whitmore Avenue and Ustick Avenue street frontages in the 15-foot strip between the streets and peripheral fencing and in the clubhouse and recreation areas.

3. Fencing shall be constructed prior to occupancy and shall be as follows:
   a. Six foot grape stake with decorative masonry pilasters along the Whitmore Avenue and Ustick Avenue frontages.
   b. Six foot grape stake or redwood board with masonry pilasters along the north and east lines of the mobile home park.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Whitmore Avenue to a major street standard prior to occupancy or upon demand by the City, whichever occurs first.

6. The developer shall dedicate sufficient right-of-way to widen Ustick Avenue to a 60-foot collector street standard and to realign the street south of Lassen Avenue as shown on the development plan. The developer shall improve the easterly 40 feet of the right-of-way between Whitmore Avenue and Lassen Avenue.

7. The required public street improvements shall be constructed prior to occupancy of any structures.

8. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

9. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

10. Irrigation lines shall be removed or relocated as required by the Turlock Irrigation District and the Director of Public Works. Easements for irrigation lines to remain shall be dedicated.

11. The development shall be served by positive storm drainage as required by the Director of Public Works. Drainage fees shall be paid in accordance with Ordinance No. 1883 C.S. which established the Crows Landing Road drainage area.

12. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

13. All utilities and TV facilities shall be underground. Cable television service shall be stubbed into all pads except that one central radio and TV antenna may be provided with underground wiring to the pads and recreation building.

14. All signs shall comply with the sign requirements of the R-1 Zone.

15. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

16. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

17. That the developer shall provide secondary access for emergency fire response for each phase of the project as required by the City Fire Marshal. Each access shall be surfaced as required by the Fire Marshal.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (336):

PHASE I - shall include approximately 168 mobilehome spaces and the recreation and clubhouse areas. Construction shall begin on or before January 1, 1984, and be completed by not later than January 1, 1985.

PHASE 2 - shall include the remainder of the mobilehome park. Construction shall begin on or before January 1, 1986, and be completed by not later than January 1, 1987.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (336) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-45

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAPS 7-4-9 AND 8-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MARTIN TEUNISSEN)

WHEREAS, on January 25, 1983, the City Council introduced Ordinance No. 2172-C.S. giving approval to a project relating to an amendment to Section Maps 7-4-9 and 8-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(336), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Maps 7-4-9 and 8-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(336).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-46

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING WATER WELL METERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of water well meters

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 22, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 19 83, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-47

A RESOLUTION ACCEPTING THE BID OF SHERWIN WILLIAMS FOR CITY'S ANNUAL REQUIREMENT OF MAINTENANCE PAINT

WHEREAS, Resolution No. 83-877, adopted by the Council of the City of Modesto on December 7, 1982, approved the plans and specifications for the purchase of the City's annual requirement of maintenance paint and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of maintenance paint were opened at 2:00 p.m. on December 28, 1982, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Sherwin Williams in the amount of $7,000 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Sherwin Williams in the amount of $7,000 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1983, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-48

A RESOLUTION ACCEPTING THE BID OF B & L BUILDERS FOR THE MODIFICATION OF THE MODESTO POLICE DEPARTMENT OLD COMMUNICATION AREA

WHEREAS, Resolution No. 82-871, adopted by the Council of the City of Modesto on December 7, 1982, approved the plans and specifications for the modification of the Modesto Police Department old communication area and authorized the calling for bids; and

WHEREAS, the bids received for the modification of the Modesto Police Department old communication area were opened at 11:00 a.m. on December 28, 1982, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of B & L Builders in the amount of $7,192.78 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of B & L Builders in the amount of $7,192.78 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1983, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-49

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF A TAPE DRIVE FROM HEWLETT PACKARD

WHEREAS, Public Works Administration has requested a tape drive that will provide data compatibility with other City and County computer equipment as well as the City's Word Processing equipment, and will provide systems backup for the existing Hewlett Packard computer; and

WHEREAS, only Hewlett Packard tape drives are compatible with the existing computer system and are available only from Hewlett Packard.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of a tape drive is hereby waived.

BE IT FURTHER RESOLVED that purchase of a tape drive from Hewlett Packard at a cost of $16,187, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1983, by Councilmember Elliott , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-50

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** REPAIR AND REFURBISHING OF EXISTING ROOF AT KING-KENNEDY COMMUNITY CENTER AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Public Works **that the construction of** repair and refurbishing of existing roof at King-Kennedy Community Center **has been completed by** Central Valley Roofing Company

**in accordance with the contract agreement dated** September 28, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** repair and refurbishing of existing roof at the King-Kennedy Community Center **be accepted from said contractor,** Central Valley Roofing Company;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $11,295.00 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 25th **day of** January, **19**83, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-51

**A RESOLUTION APPROVING** LOAN /**AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE CALIFORNIA STATE ENERGY COMMISSION FOR A STREET LIGHT CONVERSION PROGRAM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the California State Energy Commission for a loan of $166,423 for a street light conversion program

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 25th **day of** January, **19** 83, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-52

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** DONALD J. HENDERSON FOR THE ACQUISITION OF 0.06± ACRE OF HIS PROPERTY NEEDED FOR THE SCENIC-COUNTY HOSPITAL TO SUNNYSIDE PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Donald J. Henderson for the acquisition of 0.06± acres of his property needed for the Scenic-County Hospital to Sunnyside project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 25th **day of** January, **19** 83, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-53

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GUS J. AND GEORGIA J. PAPATONE FOR THE LEASE OF 15.21± ACRES OF LAND ACQUIRED FOR THE ROSELLE NEIGHBORHOOD SCHOOL/PARK SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Gus J. and Georgia J. Papatone for the lease of 15.21± acres of land acquired for the Roselle Neighborhood School/Park site

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 25th **day of** January**, 19** 83**, by Councilmember** Elliott**, who moved its adoption, which motion being duly seconded by Councilmember** Bright**, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-54

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** UNITED COURIER, INC. FOR COURIER SERVICE OPERATIONS AT THE MODESTO CITY-COUNTY AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** United Courier, Inc. for courier service operations at the Modesto City-County Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 25th **day of** January**, 19**83**, by Councilmember** Elliott**, who moved its adoption, which motion being duly seconded by Councilmember** Bright**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-55

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** JOHN AND PAULA HUMPHREY FOR THE LEASE OF 2840 LINCOLN AVENUE WHICH WAS ACQUIRED FOR DRY CREEK PARK

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** John and Paula Humphrey for the lease of 2840 Lincoln Avenue which was acquired for Dry Creek Park

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 25th **day of** January, **19** 83, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-56

RE-
A RESOLUTION/APPOINTING MEMBER OF THE AIRPORT ADVISORY COMMITTEE
(WILLIAM BRADFORD)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby re-appointed to the Airport Advisory Committee for the respective term as indicated:

William Bradford
1820 Sylvan Avenue
Modesto, Ca. 95355

Term to expire 1/1/87

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Airport Advisory Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1983, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Siefkin, Acting Mayor Muratore

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-57

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR BRIGGSMORE AVENUE STREET LIGHTING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Briggsmore Avenue street lighting copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 15, 1983, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-58

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TEN POWER AERATORS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of ten power aerators

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 1, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-59

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF DAVID KAMRAR FROM THE DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD, EFFECTIVE FEBRUARY 1, 1983

WHEREAS, David Kamrar was appointed a member of the Downtown Improvement District Advisory Board on January 12, 1976; and

WHEREAS, David Kamrar has tendered his resignation from the Downtown Improvement District Advisory Board effective February 1, 1983; and

WHEREAS, David Kamrar has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignation of David Kamrar from the Downtown Improvement District Advisory Board be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to David Kamrar for his outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-60

A RESOLUTION ADOPTING A REVISED AFFIRMATIVE ACTION PROGRAM FOR THE CITY OF MODESTO AND DIRECTING THE CITY MANAGER TO IMPLEMENT SAID PROGRAM, AND RESCINDING RESOLUTION NO. 78-1019.

WHEREAS, the City of Modesto has been, is, and will continue to be committed to the principle that equal employment opportunities in the public service of the city under the Merit System and with those who contract to do business with the city must be afforded to all persons regardless of race, color, religion, sex, or national origin, and

WHEREAS, equal employment opportunity may be insured only by a carefully administered program designed to eliminate any practices, standards, or conditions which would artificially deprive or tend to deprive any individual of employment opportunities, and

WHEREAS, the City Manager has submitted a proposed revised Affirmative Action Program for the City of Modesto dated January, 1983, a copy of which is marked Exhibit "A" and attached hereto, and

WHEREAS, this Council desires to adopt and implement said revised Affirmative Action Program, and

WHEREAS, the City Manager has issued a Policy Statement dated December 1, 1982, a copy of which is marked Exhibit "B" and attached hereto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that the City of Modesto is committed to the principle that equal employment opportunities in the public service of the city under the Merit System and with those who contract to do business with the city must be afforded to all persons regardless of race, color, religion, sex, or national origin and that said principle be achieved through an Affirmative Action Program.

BE IT FURTHER RESOLVED that the Affirmative Action Program of the City of Modesto dated January, 1983, submitted by the City Manager, a copy of which is marked Exhibit "A" and attached hereto, is hereby adopted as the Affirmative Action Program for the City of Modesto, and the City Manager is hereby directed to take the necessary steps to implement said program.

BE IT FURTHER RESOLVED that the Council acknowledges receipt of the Policy Statement dated December 1, 1982, a copy of which is marked Exhibit "B" and attached hereto.

BE IT FURTHER RESOLVED that Resolution No. 78-1019 adopted September 28, 1978, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of February, 1983, XXXXX, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

# AFFIRMATIVE ACTION PROGRAM

January 1983

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## *The Commitment*

*The City Council of the City of Modesto hereby establishes a clearly defined Affirmative Action Program to insure that Equal Employment Opportunity (EEO) in City service becomes a fact as well as an ideal.*

Equal Employment Opportunity involves a City commitment to personnel actions based upon the relative, job-related merit and fitness of applicants and employees and the needs of the City.

There shall be no favor or discrimination in City personnel actions based upon race, religion, color, creed, sex, age, handicap, national origin, or political affiliation or belief unless such characteristics are bona fide occupational qualifications.

## Purpose and Background of the Program

The goal of the City's Personnel system, of which Affirmative Action is an integral part, is to ensure that quality services to the people of the City are provided by the most effective staff available.

Affirmative Action is the guide, monitoring tool, and corrective action mechanism to ensure that two objectives are met in the way the City staff is recruited, selected and retained:

1. To build equal employment opportunity into all personnel action decisions.

2. To develop a City work force which effectively mirrors the makeup of the labor market in terms of ethnic group and female representation in the various occupational categories.

There are, in addition, statutory case laws and administrative regulation history which outline the obligation of agencies such as the City of Modesto to develop an Affirmative Action program. Significant landmarks in that history include:

1. The Fourteenth Amendment to the United States Constitution sets forth equal protection and due process guarantees.

2. Civil Rights Acts of 1866, 1870 and 1964 set forth the liabilities and obligations for nondiscrimination.

3. Presidential Order 11246 requires Federal contractors to have written Affirmative Action programs.

4. Revised Order #4, U.S. Office of Federal Contract Compliance requires Federal contractors to identify areas of minority and female "underutilization" in the work force and develop "result oriented" programs with goals and timetables to correct underutilization.

5. Age Discrimination in Employment Act of 1967 bans arbitrary age discrimination in employment decisions.

6. Equal Employment Opportunity Act of 1972 applies the mandates of Title VI of the Civil Rights Act of 1964 and Revised Order #4 to State and local governments and sets forth the authority and responsibility of the Equal Employment Opportunity Commission.

7. Griggs vs. Duke Power Company - in 1972 a U.S. Supreme Court Decision which places the burden of defending discrimination complaints on employers. This decision emphasizes the need for employment examinations to be job related and called for the elimination of artificial barriers to employment.

8. California Fair Employment Practices Act which parallels the 1972 Federal Act and establishes the State Department of Fair Employment and Housing.

9. 1973 Rehabilitation Act which extends non-discrimination protection of the physically handicapped.

10. 1978 Health, Education and Welfare Department Regulations extend to Federal contractors an Affirmative Action obligation toward the handicapped.

In 1977, the City of Modesto adopted its first Affirmative Action program, with modifications in 1978.

This 1982 program represents a continuation of the positive efforts made in the past to make equal employment opportunity a reality in the City of Modesto government.

In general, Affirmative Action is synonymous with improvement of the personnel system and overall City government. To the extent that bias and extraneous factors unrelated to the needs of the job are eliminated, both the City and the general public which it services stand to gain.

## Clear Responsibilities

Affirmative Action support is not the responsibility of any one individual, committee or department alone. From the highest policy making body in City government - the City Council - through the City Manager, the Director of Management Services, other department heads, supervisors, employee organizations, and each employee, the responsibility to make the program work is shared. For Affirmative Action to succeed, specific responsibilities must be clearly assigned in key areas as follows:

1. The City Council provides the policy direction and sets the tone which ultimately determines the success of the program. The Council also serves as a forum for public awareness of the City program.

2. The City Manager is responsible to the Council for implementation of policies and for supporting staff and line departments in carrying out Council directives. Appointing department heads, preparing the budget, and developing policy alternatives are all City Manager functions which impact directly or indirectly on Affirmative Action. The most important function is establishing a positive tone to encourage subordinates, especially department head appointing authorities, to make Affirmative Action opportunities a part of hiring decisions.

3. Department Heads are generally the "appointing authorities" in City government. They are responsible for hiring decisions, promotions, disciplinary actions and insuring that City and departmental personnel policies are enforced. They are responsible to carry out these assignments equitably and actively. The "bottom line" in terms of Affirmative Action progress is the hiring decision. Therefore, the role of department heads is obviously critical.

4. The Director of Management Services has the principal responsibility for maintaining a personnel system in which equal employment opportunity can become a reality. Specifically, the Director of Management Services is responsible for recruitment/selection efforts; interacts with all other departments in matters of employment policies; serves as a labor negotiator; and monitors the Affirmative Action Program. The Director of Management Services provides staff support for the Affirmative Action Committee, prepares periodic progress reports to the Council, plays a major role in the Equal Employment Opportunity Grievance Procedure and designates a staff member to serve as Affirmative Action Officer.

5. The Affirmative Action Officer shall be the Personnel Manager.

The Affirmative Action Officer shall be responsible for administering the program and acts as secretary to the Affirmative Action Committee.

Specifically, the Affirmative Action Officer shall be responsible to:

a. Assist departments to achieve compliance to the requirement or provision of the program.

b. Develop and implement recordkeeping systems designed to:

i) Measure the effectiveness of the Affirmative Action Program throughout the City.

ii) Point out deficiencies and needs for remedial action.

iii) Determine the degree to which program goals and objectives have been reached.

iv) Insure accurate and timely compliance with reporting requirements.

c. Conduct periodic audits of hiring, promotion, demotion, suspension, termination, transfer, and shift assignment to insure that provisions of the program are being carried out and the goals and objectives are being met.

d. Make periodic reviews of the Affirmative Action Program and submitting recommendations for expansion and improvement of the program where applicable.

e. Assist in the resolution of equal employment opportunity grievances or complaints.

f. Serve a liaison role along with other staff members between departments, enforcement agencies, minority organizations, and community action groups.

g. Insure that the employee orientation programs include an EEO and Affirmative Action component.

h. Conduct Affirmative Action training for management personnel.

6. Employee supervisors are required to carry out their duties in directing, training, monitoring and evaluating subordinates without regard to non-job related factors such as race, religion or sex.

7. Employee organizations have agreed as part of their memorandum of understanding with the City to support the efforts the City has and will take in support of furthering Equal Employment Opportunity through Affirmative Action.

## Affirmative Action Committee

To encourage the positive progress of Affirmative Action in City of Modesto government, the City Manager shall appoint an eleven member Affirmative Action Committee for three-year terms. Members will include up to four (4) department heads, chair of the Board of Personnel Appeals, and chair of the Human Relations Commission. Members may be City employees and shall, as a group, include minority and female representation. Members shall have a background evidencing community involvement, understanding of business and employment practices and awareness of the objectives and methods of equal employment opportunity and affirmative action. The Committee shall select its own Chairperson and determine its own meeting schedule. A majority of appointed members shall constitute a quorum. Any necessary staff support shall be provided by the Affirmative Action Officer.

*The basic role of the Committee is to advise and assist with Affirmative Action progress by serving:*

a. As a resource group to the City Manager for the review and formulation of ideas for Affirmative Action improvement.

b. As a body to review periodic Affirmative Action progress reports and work with City staff members in developing specific corrective actions.

c. As a source to assist in the formulation and presentation of relevant EEO training programs, to disseminate information, and affect attitudes.

d. To consider changes in City personnel policies as they impact on the furtherance of equal employment opportunity.

## Communicating the Idea

It is reasonable to believe that greater awareness of the issues, policies, liabilities and opportunities associated with equal employment opportunity and Affirmative Action will result in greater progress toward the program goals.

Within the City organization...

1. All job announcements will include a notice of EEO and Affirmative Action support.

2. Affirmative Action, Equal Employment Opportunity and Educational posters will be disseminated to each department for conspicuous posting on employee or public bulletin boards.

3. Departmental Heads will periodically review the Affirmative Action status of their departments at staff meetings.

4. A relevant section on EEO obligations will be included in the "employee orientation" program.

5. The management negotiating team will include program support in its negotiating package with every employee organization.

6. The EEO obligations inherent in proper performance evaluation, effective discipline, and basic supervision will be included in supervisory and management training programs.

7. Specific Affirmative Action training will be periodically conducted by the Affirmative Action Officer.

To the community at large...

1. All open competitive recruitment advertisements and job announcements will include reference to the City's EEO commitment.

2. The Affirmative Action Program and other related information will be available to the public in the Personnel Department.

3. A minority and female oriented recruitment mailing list will be maintained in the Personnel Department as an outreach recruitment resource.

4. City staff members will continue participation in community organization activities such as service clubs, schools, or community groups whenever possible and will share information on the City service. Group presentations on EEO and Affirmative Action will also be encouraged.

5. Assistance from specific departments will be used to reinforce particular outreach efforts in areas such as fire fighting and law enforcement.

6. Publicity evidencing the positive community service of City employees of both sexes and all ethnic groups will be encouraged.

7. Periodic news media contacts to demonstrate the positive accomplishments of Affirmative Action in the City will be encouraged. Appointments and promotions of protected group members to traditionally underutilized positions will be highlighted.

Equal Employment Opportunity Grievance Procedure

1. Intent - It is the intent of this procedure to provide an effective means for resolving individual or group problems of a sensitive nature quickly and with a minimum of formal procedural requirements.

2. Scope - This procedure shall apply to allegations of adverse affect arising out of discrimination in regard to application, recruitment, appointment, training, promotion, retention, discipline, or other aspects of employment because of race, religion, color, sex, physical/mental handicap, medical condition, marital status, age, national origin, ancestry or political affiliation and provides for a process to investigate and correct the effects of such discrimination.

3. Limitations - The establishment of this procedure for resolving complaints of discrimination is not intended to supplant regular grievance procedures or prohibit employees or applicants from filing complaints with the Department of Fair Employment and Housing (DFEH), Equal Employment Opportunity Commission (EEOC), or the courts. This

*procedure is intended and should be viewed as a means of providing the special skills needed to promptly and fairly handle the sensitive issues involved, and to ensure full cooperation with Federal and State compliance agencies.*

4. *Definitions*

a. Aggrieved Persons: An employee or applicant for employment who alleges that he or she has suffered harm as the result of an adverse employment decision made on the basis of race, religion, color, sex, physical/mental handicap, medical conditions, marital status, age, political affiliation, national origin or ancestry in regard to application, recruitment, appointment, training, promotion, or discipline.

b. Complainant: An aggrieved person who files a formal complaint.

c. Formal Complaint: A written complaint submitted to the City Affirmative Action Officer which states clearly the basis for an allegation of discrimination and the relief requested.

d. Equal Employment Opportunity Program Manager: The City Affirmative Action Officer, who is in close reporting relationship to top management and is assigned the responsibility of managing the procedure for handling discrimination complaints.

e. Equal Employment Opportunity Investigator: An employee assigned by the Director of Management Services to investigate allegations once a formal complaint is filed, and to produce a written report of findings. This person must be capable of fairness, impartiality and objectivity.

5. Representatives - In presenting and resolving grievances, aggrieved persons may represent themselves or may designate a representative of their own choosing. Costs associated with such representation, if any, will be borne by the aggrieved person.

6. Steps in the Procedure

a. Informal Complaint: Aggrieved persons shall first contact the Personnel Office within 30 calendar days of learning of such act or decision and before filing a formal complaint with the Equal Employment Opportunity Program Manager.

b. Formal Complaint: If informal resolution of problems through conciliation and negotiation cannot be effected within 30 days of contacting the Equal Employment Opportunity Program Manager, the aggrieved person(s) may file a formal complaint in writing with the Director of Management Services, who shall discuss the complaint with the complainant and his/her representative, if any. The Director of Management Services shall render a decision in writing within fifteen (15) calendar days after receiving the complaint. If the complainant is still not satisfied, he/she may present the

complaint in writing to the City Manager. The City Manager, or his/her designated representative, shall discuss the complaint with the complainant, his/her representative, and any other appropriate persons. The City Manager shall render a decision in writing within twenty (20) calendar days after receiving the com- plaint. The decision of the City Manager shall be final.

## Evaluation

1. The Affirmative Action Officer and Affirmative Action Committee shall continuously monitor progress of the Program and report progress to the City Manager.

2. The City Manager will submit an annual report of the Program to the City Council.

## Promotion

It is the policy of the City of Modesto to attempt to upgrade protected classes already employed by the City, as well as to recruit them. Protected classes, as well as other members of the City's organization, are upgraded on the basis of performance and the passage of various promotional tests. The City, rather than establish a formal training program, relies on entry level junior positions.

## Staff Training

It will be the responsibility of the Affirmative Action Officer to inform and train staff members. Review and evaluation of the program's progress will occur at six month intervals. Each department head will be made aware of the needs of his/her department and will be encouraged to bring the department up to the desired level.

## Community Relations

The Affirmative Action Officer will become aware through continued contact of the needs of the minority and female communities in the City of Modesto. Along with other staff members, the Affirmative Action Officer will seek to establish and maintain lines of communication with the various minority group leaders within the City.

## Contractor Compliance

Each bidder shall submit with his bid certification that he is in compliance with the Civil Rights Act of 1964, Executive Order No. 11246, the California Fair Employment Practices Act, and any other applicable federal and state laws and regulations relating to equal opportunity employment, including laws and regulations hereinafter enacted.

*Minority Enterprise Program*

*The City shall comply with the intent of Executive Order No. 11625 by identifying and encouraging minority enterprises to enter the bidding processes of the City of Modesto. When potential minority bidders are identified, they will be contacted and made familiar with the bidding process. Bid application forms will be forwarded to them along with other potential contractors.*

## Goals and Timetables

The ultimate goal of the program is to develop a City of Modesto work force which includes representation of ethnic groups, the handicapped, and both sexes in a manner which numerically mirrors the labor market population. The City work force population is, practically speaking, a product of the makeup of the local area labor market. It is recognized that the characteristics of the labor market change and that the availability within occupational groupings varies widely. Based on data from the 1980 Census of Population (U.S. Bureau of the Census), the Modesto labor market has the following overall distributions:

| | |
|---|---|
| American Indians | 1.5% |
| Asians | 2.4% |
| Blacks | 2.1% |
| Hispanics | 10.5% |
| Whites | 83.5% |
| | |
| Females | 51.7% |
| Males | 48.3% |

The Goals and Timetables for the City of Modesto are described in Exhibit I (page 11). The assumptions are detailed in Exhibit II (page 12). The current mix for the City of Modesto is displayed in Exhibit III (page 13).

Timetables to reach or exceed goals must be reasonable and reflect anticipated hiring opportunities. With special reference to two ethnic groups currently represented in numbers below the program goal (i.e., Asians, Hispanics) the following timetable for improvement will apply:

> If the near future can be predicted from the recent past, steady increase in Asian and Hispanic representation will continue to occur so that the goals will be achieved by July 1, 1992.

Goals and timetables will be subject to review and revision as census information changes.

Summary

The City of Modesto has been and will continue to be committed to the principle of equal employment opportunity. Because of this commitment, the City has established an Affirmative Action Program to insure equal employment opportunities and to eliminate practices, standards or conditions which artificially deprive individuals of employment opportunities.

The program not only seeks to eliminate the negative aspects of unequal treatment but does so in a positive manner. By seeking minority community members and actively recruiting them, the City hopes to establish among its employees a minority distribution profile congruent to that which is reflected by the City's population. The Affirmative Action Program is not limited to recruiting but also provides for the training and upgrading of minority group members.

It will be the combined responsibility of the City Manager, the Affirmative Action Officer, the Affirmative Action Committee, and the department heads to fill vacant positions with qualified female and minority individuals. It is believed that within the next ten-year period the goals of the Affirmative Action Program will be achieved either through the hiring of minorities for newly created positions or by utilizing positions which become available through turnover.

*Exhibit 1*

*AFFIRMATIVE ACTION GOALS AND TIME TABLES*

| | *Modesto Urban Labor Market* | *City of Modesto Workforce 7/1/82* | | |
|---|---|---|---|---|
| Amer. Indian | 1.5% | 11 | 1.3% | under goal |
| Asian | 2.4% | 10 | 1.2% | under goal |
| Black | 2.1% | 28 | 3.3% | |
| Hispanic | 10.5% | 73 | 8.7% | under goal |
| White | 83.8%<br>100.0% | 720<br>842 | 85.5% | |
| Female | 51.7% | 142 | 16.9% | under goal |
| Male | 48.3%<br>100.0% | 700<br>842 | 83.1% | |

| | Short-Range Goals 7/1/85 | | Long-Range Goals 7/1/92 | |
|---|---|---|---|---|
| Amer. Indian | 11 | 1.3% | 13 | 1.5% |
| Asian | 12 | 1.4% | 21 | 2.4% |
| Black | 28 | 3.3% | 28 | 3.3% |
| Hispanic | 77 | 9.1% | 88 | 10.5% |
| White | 714<br>842 | 84.8% | 692<br>842 | 82.2% |
| Female | 145 | 17.2% | 169 | 20.0% |
| Male | 697<br>842 | 82.8% | 673<br>842 | 80.0% |

Exhibit 11

LISTING OF ASSUMPTIONS

1. The total positions in the City will remain constant at 842.

2. Whenever "non-traditional" employees leave (i.e.; females, minorities) they will be replaced, so that any change in the numbers will represent a net gain in those categories.

3. The overall turnover will be at 2.5%. This will include no more than 1.0% for administrative, professional, technical and skilled workers.

4. There will be sixty-three (63) vacancies filled from July 1, 1982 up to July 1, 1985.

5. There will be a net gain in the following by July 1, 1985: three (3) female, and two (2) Asian, four (4) Hispanic.

6. The gains to be achieved will be accomplished by more aggressive recruiting to have eligibles on the appropriate lists for the various occupational groups.

EXHIBIT III

CITY OF MODESTO WORK FORCE - 7/1/82
BY OCCUPATIONAL CATEGORY, RACE/ETHNIC GROUP AND SEX

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| OCCUPATIONAL CATEGORY | TOTAL EMPLOYEES | TOTAL BY SEX M | F | FEMALE PERCENT | MALE NM B | BLACK C | HISP D | AI/ASIAN E, F | FEMALE NM G | BLACK H | HISP I | AI/ASIAN J, K | TOTAL MIN. | PERCENT |
| Administrative | 15 | 13 | 2 | 13.3 | 12 | | | 1 | 2 | | | | 1 | 7.1 |
| Professional | 71 | 61 | 10 | 14.0 | 56 | 2 | 1 | 2 | 8 | | | 2 | 7 | 9.9 |
| Technical | 82 | 66 | 16 | 19.5 | 60 | 4 | 2 | | 14 | | 1 | 1 | 7 | 8.5 |
| Protective | 285 | 268 | 17 | 5.9 | 240 | 8 | 15 | 5 | 14 | | 3 | | 31 | 10.9 |
| Office/Clerical | 94 | 5 | 89 | 95.7 | 5 | | | | 77 | 1 | 8 | 3 | 12 | 12.9 |
| Skilled/Craft | 153 | 153 | 0 | 0 | 139 | 5 | 10 | 4 | | | | | 19 | 12.5 |
| Service/Mntc. | 142 | 134 | 8 | 5.6 | 90 | 8 | 33 | 3 | 8 | — | — | — | 44 | 30.9 |
| | 842 | 700 | 142 | 16.9 | 597 | 27 | 61 | 15 | 123 | 1 | 12 | 6 | 122 | 14.5 |

# POLICY STATEMENT

The City of Modesto is committed to the principles of justice, equal opportunity and nondiscrimination in all employment practices. I fully endorse the policy of equal opportunity and have committed the City of Modesto to a program of affirmative action to provide employees and applicants equal employment opportunities in all departments and job classifications within the City. The City's Affirmative Action Program aims at: identifying and eliminating the effects of any past discrimination; removing any artificial barriers to the employment of women, minority and handicapped persons; improving the ratio of women, minority and handicapped employees at all levels of employment so that it approximates parity in the labor market, and providing a continuing program of training and promotion for such employees. The City has established affirmative action goals and a monitoring system to overcome any effects of past discrmination, either real or perceived. An active effort will be made to recruit women, minorities and handicapped individuals for all employment opportunities within the City.

The City of Modesto recognizes an individual's right to secure employment in any field of endeavor based only on his/her merit and qualifications, and the City will not participate in discriminatory practices against any person employed or seeking employment because of race, color, religion, sex, national origin, marital status, disablement, age or citizenship. The right of equal employment opportunity extends to, but is not limited to, recruitment, advertising, testing, certification, hiring, transfer, promotion, training, compensation, benefits, layoff, termination and all other conditions of employment.

All management personnel shall share in the responsibility and accountability for the success of the Affirmative Action Program, and their efforts and results of performance in implementing the City's Affirmative Action Program will be evaluated as is performance on other City goals.

Responsibility for the administration and review of the City's Affirmative Action Program is delegated to the City's Personnel Manager. The City Council, department heads and Affirmative Action Committee will assist in the clarification and effective implementation of the Program.

The City of Modesto shall comply fully with all Federal, State and local laws relating to equal employment opportunity and affirmative action.

Successful performance of the City's affirmative action goals will provide positive benefits to the City through fuller utilization of the great reservoir of untapped human resources and skills among women, minority groups and handicapped individuals.

The cooperation and support of all City employees is essential to assuring that equal employment opportunity and affirmative aciton is not only a goal but a reality within the City.

Garth Lipsky

City Manager and
Director of Personnel

Date December 1, 1982

101382

0002S0460Swpc

Exhibit "B"

MODESTO CITY COUNCIL
RESOLUTION NO. 83-61

A RESOLUTION SETTING A FEE FOR CHILDREN'S FINGERPRINTS

WHEREAS, the Chief of Police has recommended that the Police Department implement a program offering parents the opportunity to fingerprint their children, and

WHEREAS, fingerprinting children is seen as an effective way to identify young people who cannot identify themselves, and

WHEREAS, new Federal legislation entitled the "Missing Children Act" requires the FBI to use available fingerprints to help identify missing and dead young people, and

WHEREAS, the Police Department desires to offer fingerprinting of children, up to age 16, as a service to the public, and

WHEREAS, the Council has determined that said fingerprinting program should be offered, and

WHEREAS, said program will be offered through the Police Department's Neighborhood Watch Program or in public facilities by special announcements,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Police Department is hereby authorized to conduct a program offering parents the opportunity to fingerprint their children, up to age 16, for a maximum fee of $5.00 per set of fingerprints. The actual fee charged shall reflect the cost of material and labor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-62

A RESOLUTION ADOPTING A POLICY FOR FUND-RAISING TOURNAMENTS ON MUNICIPAL GOLF COURSES.

WHEREAS, City policy at the present time does not allow golf tournaments to be conducted at City-owned golf courses for the purpose of raising funds, and

WHEREAS, the City has received requests from organizations to conduct golf tournaments at City-owned golf courses for the purpose of raising funds, and

WHEREAS, changing the existing policy regarding golf tournaments for the purpose of raising funds could increase revenue from the City-owned golf courses, and

WHEREAS, staff has recommended that a policy be adopted permitting golf tournaments at City-owned golf courses held by non-profit organizations based in the City of Modesto, for the purpose of raising funds, and

WHEREAS, staff has also recommended that said policy be effective on a trial basis for a period of one year, at the end of which time the policy would be evaluated to determine whether it should be continued,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following policy:

Golf tournaments on City-owned golf courses for the purpose of raising funds are permitted under the following conditions:

1. Organizations conducting golf tournaments on City-owned golf courses must be non-profit organizations.

2. Organizations must present their Internal Revenue Service non-profit number when applying for a tournament date.

3. Organizations must be based within the City limits of Modesto.

4. Organizations must pay all green fees and players may not use monthly tickets for tournament participation.

5. In addition to regular green fees, organizations must pay a $100.00 tournament fee or $1.00 extra per player, whichever is greater.

6. Participants must follow all rules and regulations that govern golf tournaments on City-owned golf courses.

7. Organizations must follow City of Modesto procedure for obtaining a tournament date.

BE IT FURTHER RESOLVED that the above stated policy shall be in effect for one year, at the end of which time the Parks and Recreation Department is to evaluate said policy and make a recommendation to the Council as to whether said policy should be continued.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-63

A RESOLUTION ADOPTING A REVISED POLICY FOR GUIDELINES FOR CONDUCT OF PUBLIC HEARINGS

WHEREAS, the City Council deems it desirable to revise and update the policy regarding Guidelines for Conduct of Public Hearings that was adopted originally in 1969.

BE IT HEREBY RESOLVED that the City Council of the City of Modesto does hereby adopt the revised policy entitled, "Guidelines for Conduct of Public Hearings", a copy of which is attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

# CITY COUNCIL POLICY

Subject: Guidelines for Conduct of Public Hearings

Purpose: To establish guidelines for the conduct of public hearings required to be held by the City Council.

Background: Before the City Council can take action in some matters which come before it for consideration, the Council is required to hold public hearings. Such hearings need to be conducted in a manner which will guard the public's right to fair and impartial hearing procedures.

Policy:

1. All hearings will be recorded by mechanical means. If a reporter is desired, the fee or fees of such reporter shall be paid by the party requesting the services.

2. The real parties in interest, including the applicant or any party having a substantial interest in the hearing, may be represented by counsel or a spokesperson.

3. At the opening of the hearing, a report prepared in advance of the hearing by the staff will be read or presented. As a part of this presentation, suitable large-scale maps and plot plans of the area concerned may be identified and placed in view of the Council and all persons attending the hearing.

4. At the conclusion of the presentation by the staff, the applicant or proponents may make a presentation, including calling witnesses and presenting any material, exhibits, documents or other physical evidence.

5. At the conclusion of the presentation by the applicant or proponents, any persons who oppose the application may make a presentation, including calling witnesses and presenting any material, exhibits, documents or other physical evidence.

6. All exhibits, documents or other physical evidence used by the applicant or other interested parties during the hearings, will become part of the record and retained by the City Clerk. Reading at length from books and other written materials will not be permitted.

7. Witnesses shall not be required to be sworn. Each witness will be required to approach the microphone and give his or her full name and address for the record before testifying.

8. The right to question witnesses shall be afforded, if requested. However, the Mayor in his/her discretion, may require that such questions be addressed to the chair for resubmission to the witness.

9. The reading of details of letters and petitions by the person submitting them will not be permitted. Such documents may be filed with the City Clerk and the Clerk shall mark them as having been received for the limited purpose of showing the names of the persons protesting or supporting the application.

10. While it is desirable in a democratic process to permit every person an unlimited right to speak, such a right unduly prolongs a public hearing and clouds the basic issue if the evidence presented is merely cumulative and repetitious. Therefore, whenever necessary, the Mayor will state that cumulative and repetitious evidence is to be avoided. Similarly, testimony and evidence which is incompetent, irrelevant and immaterial shall be foreclosed by the Mayor. If, because of the informality of the hearing, such improper evidence is received, it shall not be considered by the Council in reaching its decision.

11. The Council may establish special rules for individual hearings, establishing time limits for presentations and requiring presentations to be made through spokespersons, if possible.

12. Just before conclusion of the hearing, the Mayor, at his/her discretion, may allow the applicant a limited amount of time for summation. A similar amount of time shall be allowed for summation by the person or persons opposing the application. Thereafter, the Mayor may ask for a recommendation of the staff and the reasons for such recommendation. No public discussion will be permitted by applicant or members of the audience on the recommendation of the staff. However, at the discretion of the Mayor, comment may be made by applicant or members of the audience on the staff recommendation if any new matter not previously discussed during the public hearing is brought to the Council's attention by the staff.

13. The Council should discuss the issues involved and make its decision only after hearing the evidence presented at the public hearing. Discussion of the matter by members of the Council concurrently with or immediately following the staff's report and before the public has an opportunity to present its point of view may influence the Council's action. Therefore, except for questions by the Council to obtain or clarify the facts, discussion of the matter by members of the Council should be delayed until after the public hearing is closed and the matter is presented to the Council for discussion and decision.

14. If a Councilmember has personal knowledge of the property or area or has had discussions or contacts regarding the application prior to the public hearing, the Councilmember should make a statement to that effect at the time of the hearing so the record will reflect everything being taken into consideration in making the final decision.

15. Councilmembers should scrupulously guard the right of the public to a fair and impartial public hearing. Councilmembers should inform persons contacting them to make their information or objections known at the public hearing.

16. Summary of Procedure for Conduct of Public Hearings by the Modesto City Council:

(a) Opening of Public Hearing.

(b) Staff report.

(c) Applicant's presentation.

(d) Opposition presentation.

(e) Summation by applicant and opposition (at the discretion of the Mayor).

(f) Staff recommendation at request of Council.

(g) Close of public hearing.

(h) Discussion and decision by Council.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-64

A RESOLUTION ADOPTING A POLICY FOR VOLUNTEER SUPPORT GROUPS FOR HISTORICAL BUILDINGS

WHEREAS, the City Council deems it desirable to adopt a policy regarding volunteer support groups for historical buildings. as suggested by the Culture Commission.

BE IT HEREBY RESOLVED that the City Council of the City of Modesto does hereby adopt the policy entitled, "Policy for the Volunteer Support Groups for Historical Buildings", a copy of which is attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson,who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY COUNCIL POLICY

SUBJECT: Policy for the Volunteer Support Groups for Historical Buildings

PURPOSE: The purpose of this policy is to establish the basis for input to the Culture Commission and City staff by the Volunteer Support Groups for the McHenry Museum, McHenry Mansion, McClure Country Place, and any other historical buildings or places that may be acquired by the City.

POLICY:

1. The Volunteer Support Groups shall be advisory to the Culture Commission and the City staff regarding the City's historical buildings.

2. The Director of Parks and Recreation and the staff person(s) assigned to the supervision of historical buildings will annually consult with the appropriate Volunteer Support Group to solicit its recommendations regarding the maintenance and operation budget for each historical building. This consultation shall be during the time that the City staff is preparing the maintenance and operation budget.

3. The Director of Parks and Recreation and the staff person(s) assigned to the supervision of historical buildings will annually consult with the appropriate Volunteer Support Group to solicit its recommendations regarding priorities for capital expenditures for each historical building. This consultation shall be during the time that the City staff is preparing the capital expenditures budget.

4. The appropriate Volunteer Support Group shall periodically review the policies and procedures regulating the use of each historical building and make recommendations for any changes it deems appropriate.

5. Each Volunteer Support Group shall have the right to raise and accept money and specify the purposes for which the money shall be expended, consistent with the Master Plans for the City's historical buildings.

6. The Director of Parks and Recreation will notify the appropriate Volunteer Support Group of the supervisory personnel responsible for each historical building.

7. The Director of Parks and Recreation will notify the appropriate Volunteer Support Group of any vacancy(s) that may occur in the supervisory positions for historical buildings. The appropriate Volunteer Support Group will be consulted to solicit its input regarding filling a vacancy(s).

8. The appropriate Volunteer Support Group shall have the right to make recommendations regarding the acquisition and disposal of historical artifacts in the City's historical buildings.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-65

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATION ABOLISHED. The Position Classification Plan of the City of Modesto is hereby amended to abolish the following classification:

Assistant Director of Finance

SECTION 2. CLASSIFICATION CREATED. The Position Classification Plan of the City of Modesto is further amended to create the following new classification:

Finance Division Manager

The specification for the classification created, as shown on the attached Exhibit "A", which is hereby made a part of this resolution by reference, is hereby approved and made a part of the Position Classification Plan of the City of Modesto.

SECTION 3. CLASSIFICATION AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to amend the specification for the following classification, as shown on Exhibit "B", which is hereby made a part of this resolution by reference and is hereby approved and made a part of the Position Classification Plan of the City of Modesto:

Senior Accountant

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

# FINANCE DIVISION MANAGER

## DEFINITION

Under general direction, to plan, coordinate and administer a division of Finance Department functions and activities; to develop information and present recommendations to the Director of Finance; and to perform related duties as required.

## DISTINGUISHING CHARACTERISTICS

Positions in this class are distinquished by the assignment of supervisory responsibilities over one or more functional areas of the Finance Department. Incumbents in this class will coordinate all of the work in their division, and they will develop and implement departmental policies and procedures.

## EXAMPLES OF DUTIES

Plans, coordinates, and administers an internal division of Finance Department operations; prepares and coordinates completed staff work in the areas of budget, revenues, utilities, data processing, and accounting; may prepare a variety of technical reports requiring research, analysis and interpretation; develops and implements departmental policies; assures that departmental procedures are followed; supervises personnel and evaluates performance; provides technical assistance and staff training.

## SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interest.

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Skills:

Must perform completed staff work in oral and written presentations.

Knowledge of:

Principles of organization, administration and management;
Accounting theory, principles and practices, and their application to a wide variety of accounting transactions and problems;
Laws, ordinances and regulations governing the financial operations of the City and its departments;

*Principles and procedures of Finance Department operations, including the establishment of policy;*
*Supervisory principles and practices in a governmental agency;*
Technical report preparation;
Electronic data processing as it relates to accounting procedures and practices.

and

Ability to:

Plan, initiate and complete work assignments with a minimum of direction;
Supervise, train and evaluate the work of subordinates;
Understand and apply legal requirements and administrative policies to accounting functions;
Interpret and analyze fiscal data and draw logical conclusions;
Provide fiscal interpretation of data to management;
Communicate effectively both orally and in writing;
Analyze purchasing procedures and recommend improvements;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Three years of experience, preferably in a government agency, performing financial, accounting, budgeting, purchasing, data processing, or related administrative work, including one year of supervisory experience.

and

Education:

Graduation from an accredited college or university with a major in business administration, economics, finance, accounting or a closely related field.

# SENIOR ACCOUNTANT

## DEFINITION

Under direction, to train and supervise subordinate professional and clerical staff; to perform difficult professional accounting and auditing duties; to prepare and interpret financial statements or reports; to establish new accounting procedures and controls; and to perform related duties as required.

## DISTINGUISHING CHARACTERISTICS

This is the third level of the professional accounting series. Incumbents in this class are distinguished from *Accountant II* by the performance of significantly more difficult work and by the degree of independence of action exercised. Incumbents are assigned supervision over a functional area of the Finance Department accounting and auditing responsibilities.

## EXAMPLES OF DUTIES

Plans, coordinates, and supervises a functional area of accounting and/or auditing; trains, assigns work to, and evaluates professional accounting and clerical staff; advises management on accounting standards and procedures and on other related budget and fiscal matters; reviews and evaluates laws, controls, grants, and administrative policies for guidelines in performing accounting and fiscal operations; establishes, maintains, and makes recommendations on the implementation of accounting system revisions; prepares a variety of detailed accounting, statistical and/or narrative financial reports requiring analysis and interpretation; examines, analyzes and verifies fiscal documents to insure adherence to established internal controls.

## SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Skills:

Must possess skills to demonstrate success in supervising, training, research, and analysis of complex accounting systems;
Must perform completed staff work in oral and written presentations.

Knowledges:

Considerable knowledge of:
Supervisory principles and practices in a governmental agency;
Principles and procedures of accounting, cost accounting and auditing;

*Technical report preparation;*
*Governmental accounting principles and procedures.*

Good knowledge of:
Laws, rules and regulations affecting governmental fiscal operations;
Modern office practices and methods;
Electronic data processing as it relates to accounting procedures and practices.

Ability to:

Plan, initiate and complete work assignments with a minimum of direction;
Supervise, train and evaluate the work of subordinates;
Understand and apply legal requirements and administrative policies to accounting functions;
Interpret and analyze complex fiscal data and draw logical conclusions;
Provide financial analysis and fiscal interpretation of data to management;
Define accounting problem areas and recommend solutions through completed staff work;
Prepare comprehensive and complex statistical and financial reports;
Communicate effectively both orally and in writing;
Establish and maintain complex fiscal records and documents;
Establish and maintain cooperative relationships with those contacted during the course of work.

Experience:

One (1) year of professional accounting experience comparable to an Accountant II with the City of Modesto or four years of professional accounting experience.

Education:

Graduation from an accredited college or university with a major in accounting, economics, finance, or a closely related field. If the major has been in a field other than accounting, at least eighteen (18) units of college level accounting courses should have been completed.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-66

A RESOLUTION AMENDING EXHIBIT "G" OF RESOLUTION NO. 82-488 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 82-488. Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1982-83", attached to Resolution No. 82-488, is hereby amended as shown on the amended Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1982-83", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "G" deletes the classification of Assistant Director of Finance, Range 433.0, and adds the classification of Finance Division Manager, Range 430.0.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1982-83
(Effective 6-29-82, Amended 8-24-82, 12-28-82, 2-1-83)

| Range No. | Title of Classification |
|---|---|
| 114.5 | Account Clerk |
| 122.0 | Accountant I |
| 426.0 | Accountant II |
| 119.5 | Accounting Technician |
| 123.0 | Accounts Examiner |
| 426.0 | Administrative Analyst |
| 422.0 | Administrative Assistant |
| 429.0 | Airport Manager |
| 424.5 | Airport Maintenance Supervisor |
| 116.5 | Animal Control Officer I |
| 118.5 | Animal Control Officer II |
| 426.5 | Arborist |
| 633.0 | Assistant Chief of Police |
| 432.0 | Assistant City Attorney I |
| 435.0 | Assistant City Attorney II |
| 421.5 | Assistant City Clerk |
| 429.0 | Assistant Civil Engineer |
| 433.0 | Assistant Director of Parks & Recreation |
| 436.0 | Assistant Director of Public Works |
| 122.5 | Assistant Electrician |
| 426.0 | Assistant Planner |
| 428.0 | Assistant Property Agent |
| 427.0 | Assistant Risk Manager |
| 426.0 | Assistant Shop Supervisor |
| 432.0 | Associate Civil Engineer |
| 429.0 | Associate Planner |
| 426.0 | Budget Accountant |
| 122.0 | Building Inspector I |
| 125.0 | Building Inspector II |
| 426.5 | Building Maintenance Supervisor |
| 120.5 | Building Maintenance Worker |
| 434.0 | Chief Building Official |
| 429.0 | Chief Electrician |
| N/A | Chief of Police |
| 426.5 | Chief of Survey Party |
| N/A | City Attorney |
| N/A | City Clerk and Auditor |
| N/A | City Manager |
| 117.5 | Civil Engineering Technician I |
| 120.5 | Civil Engineering Technician II |
| 123.5 | Civil Engineering Technician III |
| 126.5 | Civil Engineering Technician IV |
| 113.5 | Clerk Typist |
| 713.6 | Clerk Typist (Y Rate) |
| 413.5 | Clerk Typist (Confidential) |
| 124.0 | Coach Mechanic |
| 122.0 | Code Enforcement Specialist |
| 422.0 | Collections Supervisor |
| 120.5 | Community Service Officer |
| 116.5 | Computer Operator |
| 125.0 | Construction Inspector |
| 427.0 | Cost Analyst |
| 123.0 | Crime Analyst |
| 114.5 | Data Entry Operator |
| 429.0 | Data Processing Manager |
| 427.0 | Deputy City Attorney I |
| 429.0 | Deputy City Attorney II |
| 312.0 | Detective |
| N/A | Director of Finance |
| N/A | Director of Management Services |
| N/A | Director of Parking and Traffic |
| N/A | Director of Parks and Recreation |
| N/A | Director of Planning and Community Development |
| N/A | Director of Public Works and City Engineer |
| 117.5 | Drafting Technician |

Exhibit "C"

| Range No. | Title of Classification |
|---|---|
| 426.5 | Electrical Supervisor |
| 118.5 | Electrical Technician I |
| 120.5 | Electrical Technician II |
| 124.5 | Electrician |
| 127.0 | Engineering Computer Programmer |
| 122.5 | Equipment Crew Leader |
| 122.0 | Equipment Mechanic |
| 120.5 | Equipment Operator |
| 119.0 | Equipment Service Worker |
| 118.5 | Evidence and Property Specialist |
| 419.5 | Executive Secretary |
| 430.0 | Finance Division Manager |
| 529.0 | Fire Battalion Chief |
| N/A | Fire Chief |
| 211.0 | Fire Engineer |
| 123.0 | Fire Equipment Mechanic |
| 210.0 | Fire Fighter |
| 208.0 | Fire Fighter Trainee |
| 213.0 | Fire Lieutenant |
| 120.5 | Fire Prevention Technician |
| 120.5 | Housing Conservationist |
| 122.0 | Housing Financial Specialist |
| 432.0 | Housing Program Officer |
| 122.0 | Housing Rehabilitation Specialist I |
| 125.0 | Housing Rehabilitation Specialist II |
| 122.0 | Industrial Waste Inspector I |
| 125.0 | Industrial Waste Inspector II |
| 116.5 | Janitor |
| 122.5 | Janitor Supervisor |
| 126.0 | Junior Civil Engineer |
| 122.5 | Laboratory Technician |
| 113.5 | Laborer (Unclassified) |
| 426.0 | Landscape Designer |
| 126.0 | Lead Coach Mechanic |
| 124.0 | Lead Equipment Mechanic |
| 417.5 | Legal Secretary |

| Range No. | Title of Classification |
|---|---|
| 120.5 | Maintenance Mechanic |
| 120.5 | Maintenance Mechanic - Pumps |
| 116.5 | Maintenance Worker I |
| 118.5 | Maintenance Worker II |
| 718.5 | Maintenance Worker II (Y Rate) |
| 113.5 | Maintenance Worker Trainee |
| 429.0 | Management Assistant |
| 120.5 | Meter Reader Repair Worker |
| 112.5 | Microfilm & Graphics Technician |
| 120.5 | Motor Sweeper Operator |
| 424.0 | Museum Supervisor |
| 122.5 | Nursery Propagator |
| 109.5 | Office Aide |
| 111.5 | Office Clerk |
| 411.5 | Office Clerk (Confidential) |
| 122.5 | Office Services Supervisor |
| 122.5 | Parking and Traffic Crew Leader |
| 429.0 | Parking and Traffic Superintendent |
| 120.5 | Parking Meter Worker |
| 120.5 | Parks Crew Leader |
| 720.5 | Parks Crew Leader (Y Rate) |
| 424.5 | Parks Maintenance Supervisor I |
| 426.5 | Parks Maintenance Supervisor II |
| 429.0 | Parks Superintendent |
| 432.0 | Personnel Manager |
| 421.5 | Personnel Technician |
| 126.5 | Plan Review Engineer |
| 426.5 | Plan Review Engineer (MGT Benefits) |
| 117.5 | Planning Technician I |
| 120.5 | Planning Technician II |
| 123.5 | Planning Technician III |
| 122.5 | Plant Mechanic |
| 424.5 | Plant Mechanical Maintenance Supervisor |
| 632.0 | Police Captain |
| 113.5 | Police Clerk |
| 630.0 | Police Lieutenant |

| Range No. | Title of Classification |
|---|---|
| 308.0 | Police Officer (Trainee Step) |
| 310.0 | Police Officer |
| 425.0 | Police Records Supervisor |
| 628.0 | Police Sergeant |
| 115.5 | Printing Services Operator |
| 113.5 | Printing Services Trainee |
| 123.0 | Programmer |
| 126.0 | Programmer Analyst |
| 426.0 | Programmer Analyst (MGT Benefits) |
| 430.0 | Property Agent |
| 116.5 | Property Control Aide |
| 124.0 | Public Services Inspector |
| 427.0 | Public Services Officer |
| 120.5 | Public Works Line Worker |
| 424.5 | Public Works Supervisor I |
| 426.5 | Public Works Supervisor II |
| 122.0 | Purchasing Assistant I |
| 124.0 | Purchasing Assistant II |
| 430.0 | Purchasing Officer |
| 112.5 | Receptionist |
| 712.6 | Receptionist (Y Rate) |
| 429.0 | Recreation Superintendent |
| 426.0 | Recreation Supervisor |
| 430.0 | Risk Manager |
| 417.5 | Risk Management Technician |
| 117.5 | Secretary |
| 417.5 | Secretary (Confidential) |
| 421.5 | Secretary to the City Attorney |
| 422.5 | Secretary to the City Manager |
| 116.5 | Senior Account Clerk |
| 428.0 | Senior Accountant |
| 126.5 | Senior Building Inspector |
| 119.5 | Senior Computer Operator |
| 419.5 | Senior Legal Secretary |
| 115.5 | Senior Microfilm & Graphics Technician |
| 416.5 | Senior Personnel Clerk |
| 423.5 | Senior Personnel Technician |
| 432.0 | Senior Planner |
| 115.5 | Senior Police Clerk |
| 118.5 | Senior Printing Services Operator |
| 120.5 | Senior Storeskeeper |
| 122.5 | Senior Wastewater Treatment Plant Operator |
| 116.5 | Senior Word Processing Technician |
| 429.0 | Shop Supervisor |
| 123.5 | Social Services Coordinator |
| 423.5 | Social Services Coordinator (MGT Benefits) |
| 114.5 | Stenographer Clerk |
| 118.5 | Storeskeeper |
| 428.5 | Supervising Building Inspector |
| 428.0 | Supervising Construction Inspector |
| 428.0 | Supervising Housing Rehabilitation Specialist |
| 429.0 | Transit Manager |
| 120.5 | Tree Trimmer |
| 122.5 | Tree Trimmer Crew Leader |
| 424.5 | Warehouse Supervisor |
| 118.5 | Wastewater Treatment Plant Attendant |
| 120.5 | Wastewater Treatment Plant Operator |
| 426.5 | Wastewater Treatment Plant Supervisor |
| 432.0 | Water Quality Control Superintendent |
| 125.0 | Water System Inspector |
| 419.5 | Word Processing Supervisor |
| 114.5 | Word Processing Technician |
| 113.5 | Word Processing Trainee |
| 425.0 | Zoning Inspector |

Totals: 11 City Manager, Department Heads
179 Other

190

MODESTO CITY COUNCIL
RESOLUTION NO. 83-67

A RESOLUTION RESCINDING RESOLUTION NO. 81-1009.

BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 81-1009 adopted by the Council on November 17, 1981, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 68

A RESOLUTION ESTABLISHING RENTAL FEES FOR USE OF ROOMS AND FACILITIES IN THE SENIOR CITIZENS CENTER AND RESCINDING RESOLUTION NO. 70-363.

WHEREAS, the City of Modesto owns property located at the corner of Bodem and Scenic Drive which is used for a Senior Citizens Center, and

WHEREAS, City Staff has recommended an increase in existing rental fees for use of rooms and facilities in said Senior Citizens Center, and

WHEREAS, the Council desires to increase said existing rental fees for use of rooms and facilities in said Senior Citizens Center,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following rental fees are hereby established for using rooms and facilities in the Senior Citizens Center:

| | |
|---|---|
| A. Conference Room | |
| 1. One-time user (morning, afternoon, or evening usage) | $20.00 |
| 2. Regular Users | 13.00 |
| B. Auditorium and Dining Room | |
| 1. One-time User | |
| Morning till noon | 20.00 |
| Morning till 1:00 p.m. except Sunday | 26.00 |
| Afternoon except Sunday | 26.00 |
| Evenings except Friday, Saturday and Sunday | 33.00 |
| Friday evening | 40.00 |
| Saturday evening | 66.00 |
| Sunday morning or afternoon | 20.00 |
| Sunday evening | 26.00 |
| 2. Regular Users | |
| Morning till noon | 13.00 |
| Morning till 1:00 p.m. except Sunday | 20.00 |
| Afternoon except Sunday | 20.00 |
| Evenings except Friday, Saturday and Sunday | 26.00 |
| Friday evening | 33.00 |
| Saturday evening | 60.00 |
| Sunday morning or afternoon | 13.00 |
| Sunday evening | 20.00 |

BE IT FURTHER RESOLVED that all rental fees set forth above shall be paid to the Director of Parks and Recreation, and that those for uses on a recurring basis shall be paid in advance on or before the first day of each month, and those for one time uses shall be paid in advance of each use.

BE IT FURTHER RESOLVED that this resolution shall become effective on and after April 1, 1983.

BE IT FURTHER RESOLVED that Resolution No. 70-363 adopted by the Council on April 20, 1970, is hereby rescinded effective March 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-69

A RESOLUTION ESTABLISHING RENTAL FEES FOR USE OF THE BEARD BROOK SHELTER.

WHEREAS, the Beard Brook Shelter, located in Beard Brook Park, is owned by the City of Modesto, and

WHEREAS, said Beard Brook Shelter is available for use by various organizations and groups in the community, and

WHEREAS, City staff has recommended establishing rental fees for use of said Beard Brook Shelter, and

WHEREAS, the Council desires to establish rental fees for use of said Beard Brook Shelter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the rental fees to be charged for use of the Beard Brook Shelter shall be as follows:

| | | |
|---|---|---|
| A. | Charges | |
| 1. | Morning | $ 5.00 |
| 2. | Afternoon | 5.00 |
| 3. | Evening | 10.00 |
| 4. | All day, including evening | 15.00 |

BE IT FURTHER RESOLVED that all rental fees set forth above shall be paid to the Director of Parks and Recreation, and that those for uses on a recurring basis shall be paid in advance on or before the first day of each month, and those for one time uses shall be paid in advance of each use.

BE IT FURTHER RESOLVED that this resolution shall become effective on and after April 1, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-70

A RESOLUTION ESTABLISHING RENTAL FEES FOR USE OF THE BOY SCOUT CLUBHOUSE.

WHEREAS, the Boy Scout Clubhouse, located in Enslen Park, is owned by the City of Modesto, and

WHEREAS, said Boy Scout Clubhouse is available for use by various organizations and groups in the community, and

WHEREAS, City staff has recommended establishing rental fees for use of said Boy Scout Clubhouse, and

WHEREAS, the Council desires to establish rental fees for use of said Boy Scout Clubhouse,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the rental fees to be charged for use of the Boy Scout Clubhouse shall be as follows:

| | | |
|---|---|---|
| A. | Charges | |
| 1. | Morning | $ 5.00 |
| 2. | Afternoon | 5.00 |
| 3. | Evening | 10.00 |
| 4. | All day, including evening | 15.00 |

BE IT FURTHER RESOLVED that all rental fees set forth above shall be paid to the Director of Parks and Recreation, and that those for uses on a recurring basis shall be paid in advance on or before the first day of each month, and those for one time uses shall be paid in advance of each use.

BE IT FURTHER RESOLVED that this resolution shall become effective on and after April 1, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which

motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-71

A RESOLUTION ESTABLISHING RENTAL FEES AND PRIORITIES FOR USE OF THE L. J. MADDUX YOUTH CENTER BUILDING AND RESCINDING RESOLUTION NO. 54-8.

WHEREAS, the L. J. Maddux Youth Center building, located in the West Side Park, is owned by the City of Modesto, and

WHEREAS, the L. J. Maddux Youth Center is available for use by various organizations and groups in the community, and

WHEREAS, City staff has recommended an increase in existing rental fees for use of said L. J. Maddux Youth Center, and

WHEREAS, the Council desires to increase said existing rental fees for use of said L. J. Maddux Youth Center, and

WHEREAS, the Council desires to establish priorities for use of said L. J. Maddux Youth Center,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. RENTAL FEES. A fee of Fifteen and no/100ths ($15.00) Dollars per hour, with a minimum of two hours per use, shall be charged for use of the L. J. Maddux Youth Center. Said fee is to cover the cost of having a recreation leader in attendance plus cleaning and utilities cost.

SECTION 2. PAYMENT OF RENTAL FEES. All rental fees set forth above shall be paid to the Director of Parks and Recreation; rental fees for uses on a recurring basis shall be paid in advance on or before the first day of each month; rental fees for one time uses shall be paid in advance of each use.

SECTION 3. PRIORITIES. The following schedule of priorities is hereby established to govern use of the L. J. Maddux Youth Center:

A. Activities conducted by Recreation Department

B. Youth groups

C. Adult organizations directly and primarily related to youth

D. Community, civic, and service organizations not directly and primarily related to youth.

BE IT FURTHER RESOLVED that this resolution shall become effective on and after April 1, 1983.

BE IT FURTHER RESOLVED that Resolution No. 54-8 adopted by the Council on January 13, 1954, is hereby rescinded effective March 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-72

A RESOLUTION ESTABLISHING RATES FOR THE USE OF THE SWIMMING POOLS AT SONOMA SCHOOL (SUSAN BURRIS POOL), MODESTO HIGH SCHOOL, DOWNEY HIGH SCHOOL, BEYER HIGH SCHOOL, DAVIS HIGH SCHOOL AND MODESTO JUNIOR COLLEGE DURING THE SUMMER VACATION SEASONS WHILE SAID POOLS ARE BEING OPERATED BY THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 78-643.

WHEREAS, the City of Modesto has agreements with the Modesto City School District of Stanislaus County, the Modesto High School District of Stanislaus County and the Yosemite Community College District for the joint use of swimming pools at Sonoma School, Modesto High School, Downey High School, Beyer High School, Davis High School and the Modesto Junior College, and

WHEREAS, said agreements provide that City shall have the sole and exclusive use of said swimming pools during the respective school summer vacation seasons, and

WHEREAS, City has previously established fees to be charged to the public for the use of said pools and facilities at said swimming pools, and

WHEREAS, City is desirous of revising said fees to eliminate swim tickets,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. RATES. The following rates are hereby established for the use of the swimming pools at Sonoma School (Susan Burris Pool), Modesto High School, Downey High School, Beyer High School, Davis High School and Modesto Junior College during the summer vacation seasons while they are under the control and supervision of the Department of Parks and Recreation of the City of Modesto:

| | |
|---|---|
| Registration Fee, Lessons - Beginners | $ 2.00 |
| Registration Fee, Lessons - Other than Beginners | 3.50 |
| Recreational Swim, Adult Admissions, 18 years and over | 1.00 |
| Recreational Swim, Child Admissions, 17 years and under | .35 |
| Swim Team | 6.00 |

SECTION 2. EFFECTIVE DATE. This resolution shall become effective on and after April 1, 1983.

SECTION 3. REPEALS. Resolution No. 78-643 adopted by the Council on June 19, 1978, is hereby rescinded effective March 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-73

A RESOLUTION ESTABLISHING RENTAL FEES FOR USE OF ROOMS AND FACILITIES IN THE MODESTO COMMUNITY SERVICE CENTER, AND RESCINDING RESOLUTION NO. 61-134.

WHEREAS, the City of Modesto owns property located at 800 East Morris Avenue which is used as the Modesto Community Service Center, and

WHEREAS, City staff has recommended an increase in existing rental fees for use of rooms and facilities in said Modesto Community Service Center, and

WHEREAS, the Council desires to increase said existing rental fees for use of rooms and facilities in said Modesto Community Service Center,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. RENTAL FEES. The rental fees to be charged for use of rooms and facilities in the Modesto Community Service Center shall be as follows:

| | | |
|---|---|---|
| A. | Classrooms | |
| | 1. Morning | $10.00 |
| | 2. Afternoon | 10.00 |
| | 3. Evening | 10.00 |
| | 4. Reg. Weekly Users (4 uses/mo.) | 30.00 |
| B. | Auditorium (Weekdays) | |
| | 1. Morning | 15.00 |
| | 2. Afternoon | 15.00 |
| | 3. Evening | 30.00 |
| | 4. Reg. Weekly Users (4 uses/mo.) | 50.00 |
| C. | Auditorium (Weekends) | |
| | 1. One time users (morning, afternoon or evening usage) | 30.00 |
| | 2. Regular Weekly Users (4 uses/mo.) | 80.00 |
| | 3. Regular bi-weekly users (2 uses/mo.) | 50.00 |

D. Kitchen (in conjunction with Auditorium usage)

| | |
|---|---|
| 1. Coffee and snack preparation | $5.00 |
| 2. Luncheon or dinner preparation | 5.00 |
| 3. Cleaning fee (except dishes) | 5.00 |

SECTION 2. PAYMENT OF RENTAL FEES. All rental fees set forth above shall be paid to the Director of Parks and Recreation; rental fees for uses on a recurring basis shall be paid in advance on or before the first day of each month; rental fees for one time uses shall be paid in advance of each use.

SECTION 3. EFFECTIVE DATE. This resolution shall become effective on and after April 1, 1983.

SECTION 4. REPEALS. Resolution No. 61-134 adopted by the Council on April 3, 1961, is hereby rescinded effective March 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-74

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO, CALIFORNIA, DETERMINING THAT A PROJECT AREA COMMITTEE SHALL NOT BE FORMED IN CONNECTION WITH THE MODESTO REDEVELOPMENT PROJECT

WHEREAS, by Resolution No. 82-193, adopted on December 20, 1982, the Planning Commission of the City of Modesto selected and designated the boundaries of the project area (the "Project Area") for the Modesto Redevelopment Project (the "Project"), approved a Preliminary Plan for the Project and submitted said Preliminary Plan to the Redevelopment Agency of the City of Modesto (the "Agency"); and

WHEREAS, the Agency is preparing a proposed redevelopment plan (the "Redevelopment Plan") for the Project; and

WHEREAS, Section 33385 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) requires that a project area committee be formed if a substantial number of low- and moderate-income families will be displaced by the redevelopment project; and

WHEREAS, the Community Redevelopment Law also requires that, in the event a redevelopment project will not displace a substantial number of low- and moderate-income families, the redevelopment agency shall consult with and obtain the advice of residents and existing community organizations either through the formation of a project area committee or through direct consultation and the obtaining of advice from such residents and community organizations and, in addition, requires that the redevelopment plan be submitted to such residents and community organizations prior to submitting it for adoption; and

WHEREAS, the Project for which the Redevelopment Plan is being prepared will not displace a substantial number of low- and moderate-income families;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MODESTO DOES RESOLVE AS FOLLOWS:

Section 1. The City Council hereby finds and determines that the proposed Project will not displace a substantial number of low- and moderate-income families and that formation of a project area committee is not required prior to the adoption of the Redevelopment Plan. The Council further determines that a project area committee shall not be formed in connection with the Project.

Section 2. The Executive Director of the Agency is hereby authorized and directed to consult with and obtain the advice of residents and community organizations within the Project Area and provide such residents and organizations with the Redevelopment Plan prior to its submission to the City Council.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 1st day of February, 1983, by Council member Lang, who moved its adoption, which motion being duly seconded by Council member Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Council members: Bright, Elliott, Lang, Patterson, Acting Mayor Muratore

NOES: Council members: None

ABSENT: Council members: Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-75

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 77-435 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(159). (ROBERT ERICKSON)" (THOMAS D. AND DAVID V. HARRELL)

WHEREAS, the City Council, by Ordinance No. 1616-C.S. which was introduced on April 25, 1977, finally adopted on May 2, 1977, and which became effective on June 1, 1977, amended Section Map 18-3-9 of the Zoning Map to reclassify from Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D(159), property located on the south side of Briggsmore Avenue east of Prescott Road, to permit construction and operation of a recreational complex, and

WHEREAS, City Council Resolution No. 77-435 which was adopted on April 25, 1977, approved a development plan for P-D(159) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(159) was filed by Thomas D. and David V. Harrell on December 15, 1982, to allow the addition of a non-motorized bicycle motocross race course to the rear of the Roller King skating rink and family amusement machine center, in an area previously occupied by a miniature golf course, property located at 2000 W. Briggsmore Avenue, on the south side of Briggsmore Avenue east of Prescott Road, and

WHEREAS, a public hearing was held by the Planning Commission on January 17, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence, both oral and documentary, was received and considered, and

WHEREAS, at said public hearing, the Planning Commission, by its Resolution No. 83-6, found and determined that an amendment to Planned Development Zone, P-D(159) to allow the addition of a non-motorized bicycle motocross race course to the rear of the Roller King skating rink and family amusement machine center in an area previously occupied by a miniature golf course, on property located at 2000 W. Briggsmore Avenue, on the south side of Briggsmore Avenue east of Prescott Road is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed non-motorized bicycle motocross racing is a desirable activity to be afforded both young people and families in Modesto.

2. The area proposed for this activity is fully secure being bounded by masonry walls and chain link fences.

3. The prohibition of amplified sound and the hours' limitations should reduce noise generation and diminish any possible incompatibility with the apartment residents to the east.

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the City Council Chambers in the City Hall, 801 11th Street, Modesto, California, on February 8, 1983, at 7:30 p.m., and

WHEREAS, the City Council certifies it has reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned Develoment Zone, P-D(159), and

WHEREAS, after hearing evidence both oral and documentary, the Council finds and determines that the requested amendment to allow the addition of a non-motorized bicycle motocross race course to the rear of the Roller King skating rink and family amusement machine center, in an area previously occupied by a miniature golf course, on property located at 2000 W. Briggsmore Avenue, on the south side of Briggsmore Avenue east of Prescott Road is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 83-6, and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 of Modesto City Council Resolution No. 77-435 entitled "A Resolution Approving a Development Plan for Planned Development Zone, P-D(159). (Robert Erickson)" is hereby amended by adding condition number 15 thereto to read as follows:

"15. The non-motorized bicycle motorcross race course shall be subject to the following conditions:

a. All development shall conform to the plot plan titled "Plot Plan Planned Development Zone for Bicycle Motocross Park" as amended in red, stamped approved by the Planning Commission on January 17, 1983.

b. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

c. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Public Works.

d. All other conditions of this resolution not in conflict with these conditions shall remain in full force and effect.

e. There shall not be allowed the use of any outdoor amplified sound system.

f. That the use of the motocross race course area shall be limited to the following hours:

8:00 a.m. to 4:00 p.m. weekdays Monday thru Saturday during Standard Time.
8:00 a.m. to 8:00 p.m. weekdays Monday thru Saturday during Daylight Savings Time
8:00 a.m. to 4:00 p.m. Sundays in all seasons.
Actual racing shall not commence prior to 10:00 a.m. in all seasons."

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | Elliott |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney



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MODESTO CITY COUNCIL
RESOLUTION NO. 83-76

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAPS 25-3-9 AND 36-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (KOUNIAS ESTATE)

WHEREAS, on February 8, 1983, the City Council introduced Ordinance No. 2174-C.S. giving approval to a project relating to an amendment to Section Maps 25-3-9 and 36-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, Heavy Industrial Zone, M-2, and Planned Development Zone, P-D(144), to Highway Frontage Zone, H-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Maps 25-3-9 and 36-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, Heavy Industrial Zone, M-2, and Planned Development Zone, P-D(144), to Highway Frontage Zone, H-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-77

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF TRAFFIC SIGNALS AND STREET IMPROVEMENTS AT CARPENTER ROAD AND WOODLAND AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of traffic signals and street improvements at Carpenter Road and Woodland Avenue copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 15, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 19 83, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-78

A RESOLUTION ACCEPTING THE BID OF MAC'S BACKHOE SERVICE FOR THE CONSTRUCTION OF IMPROVEMENT DISTRICT NO. 24

WHEREAS, Resolution No. 82-709, adopted by the Council of the City of Modesto on September 7, 1982, approved the plans and specifications for the construction of Improvement District No. 24 and authorized the calling for bids; and

WHEREAS, the bids received for the construction of Improvement District No. 24 were opened at 11:00 a.m. on October 19, 1982, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Mac's Backhoe Service in the amount of $499,581.25 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Mac's Backhoe Service in the amount of $499,581.25 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 19 83, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-79

A RESOLUTION ACCEPTING THE BID OF FRIES LANDSCAPE COMPANY FOR THE BRIGGSMORE/ SUNRISE LANDSCAPING AND IRRIGATION PROJECT

WHEREAS, Resolution No. 83-9 , adopted by the Council of the City of Modesto on January 11, 1983 , approved the plans and specifications for the Briggsmore/Sunrise landscaping and irrigation project and authorized the calling for bids; and

WHEREAS, the bids received for the Briggsmore/Sunrise landscaping and irrigation project were opened at 11:00 a.m. on February 1, 1983, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Fries Landscape Company in the amount of $15,555 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Fries Landscape Company in the amount of $15,555 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February , 19 83, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-80

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** POLICE DEPARTMENT COMPUTER FACILITY AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Public Works **that the construction of** Police Department computer facility **has been completed by** Barham Enterprises

**in accordance with the contract agreement dated** May 25, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** the Police Department computer facility **be accepted from said contractor,** Barham Enterprises;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $18,932.32 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** February, **19**83, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Patterson

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-81

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT MIKE AND CHARLENE FUHLENDORF, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of the claimants, Mike and Charlene Fuhlendorf, against the City of Modesto was received on December 17, 1982, in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim on behalf of claimants, Mike and Charlene Fuhlendorf, against the City of Modesto, received on December 17, 1982, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-82
AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** HEWLETT PACKARD TO PROVIDE FOR A RATE INCREASE FOR MAINTENANCE OF THE HEWLETT PACKARD 9845T DESK TOP COMPUTER SYSTEM LOCATED IN THE PUBLIC WORKS DEPARTMENT, ENGINEERING DIVISION

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the** amended/**agreement between the City of Modesto and** Hewlett Packard to provide for a rate increase for maintenance of the Hewlett Packard 9845T desk top computer system located in the Public Works Department, Engineering Division to $5,700 per year **be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** February, **19**83, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Patterson |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-83

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL CO. FOR THE IMPROVEMENTS AT OAKDALE ROAD AND SYLVAN AVENUE

WHEREAS, Resolution No. 83-34, adopted by the Council of the City of Modesto on January 18, 1983, approved the plans and specifications for the improvements at Oakdale Road and Sylvan Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the improvements at Oakdale Road and Sylvan Avenue were opened at 11:00 a.m. on February 8, 1983, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Industrial Electrical Co. in the amount of $94,896 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Industrial Electrical Co. in the amount of $94,896 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of February, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-84

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** SYLVAN/BOYCE TRAFFIC SIGNAL INSTALLATION

**WHEREAS,** a report has been filed by the Director of Parking and Traffic that the construction of traffic signals at Sylvan and Boyce has been completed by Bowden Electric, Inc.

in accordance with the contract agreement dated July 20, 1982.

**NOW, THEREFORE, BE IT RESOLVED** that the construction of traffic signals at Sylvan and Boyce be accepted from said contractor, Bowden Electric, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $29,439 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of February, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** **Councilmembers:** Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

**NOES:** **Councilmembers:** None

**ABSENT:** **Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-85

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING BACKFLOW PREVENTORS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of backflow preventors

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 15, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of February, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-86

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT PATRICIA BURNETTE, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of the claimant, Patricia Burnette, against the City of Modesto was received February 3, 1983, in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim on behalf of claimant, Patricia Burnette, against the City of Modesto, received on February 3, 1983, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of February, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-87

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** CROCKER BANK AUTHORIZING THEM TO SERVICE THE DEFERRED PAYMENT LOANS ORIGINATED BY THE HOUSING MAINTENANCE PROGRAM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Crocker Bank, authorizing them to service the deferred payment loans originated by the Housing Maintenance Program

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 15th **day of** February, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-88

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ROBERT NEUGEBAUER FOR THE LEASE OF 5± ACRES OF LAND ACQUIRED FOR ORCHARD NEIGHBORHOOD PARK SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Robert Neugebauer for the lease of 5± acres of land acquired for Orchard Neighborhood Park site

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 15th **day of** February**, 19** 83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-89
AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** AMERICAN LEGION ALLOWING THEM TO TRANSFER USES OF THE NEW LEGION HALL TO THE OLD LEGION HALL

**BE IT HEREBY RESOLVED by the Council of the City of Modesto** amended **that the/ agreement between the City of Modesto and** American Legion, allowing them to transfer uses of the new Legion Hall to the old Legion Hall, as approved by Stanislaus County and the City of Ceres, and recommended by the Tuolumne River Regional Park Committee **be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 15th **day of** February, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-90

A RESOLUTION APPROVING AMENDED JOINT POWERS AGREEMENT BETWEEN THE CITY OF MODESTO, THE CITY OF CERES, AND STANISLAUS COUNTY, REVISING THE FORMULA FOR ESTABLISHING REVENUE FOR THE TUOLUMNE RIVER REGIONAL PARK TO REFLECT CURRENT ASSESSMENT PRACTICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to the joint powers agreement between the City of Modesto, the City of Ceres, and Stanislaus County, revising the formula for establishing revenue for the Tuolumne River Regional Park to reflect current assessment practices and establishing a new due date for payment be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amendment to agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of February, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-91

A RESOLUTION ACCEPTING IMPROVEMENTS IN ANWAR MANOR SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, William E. and Betty L. Ferrell , subdividers of Anwar Manor Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $121,200.00 and $60,600.00 respectively to guarantee improvements in Anwar Manor Subdivision ; and

WHEREAS, the Director of Public Works in a memorandum dated February 7, 1983 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Anwar Manor Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $121,200.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $60,600.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of February , 1983 by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-92

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** RAYMOND L. AND RUBY C. MARSH FOR THE LEASE OF 1004 THRASHER AVENUE, ACQUIRED FOR AIRPORT NEIGHBORHOOD PARK SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Raymond L. and Ruby C. Marsh for the lease of 1004 Thrasher Avenue, a house which was acquired for Airport Neighborhood Park site

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 15th **day of** February**, 19** 83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-93

TERMINATING
**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** ARNOLD W. AND MARILYN ROMEY FOR LEASE OF 1004 THRASHER AVENUE, ACQUIRED FOR AIRPORT NEIGHBORHOOD PARK SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the** termination of **agreement between the City of Modesto and** Arnold W. and Marilyn Romey for the lease of house at 1004 Thrasher Avenue, acquired for Airport Neighborhood Park site

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement** termination **by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 15th **day of** February**, 19** 83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-94

A RESOLUTION ESTABLISHING CHARGES AND FEES FOR ACTIVITIES AND SERVICES AT THE MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD, AND SUPERSEDING RESOLUTION NO. 82-645.

WHEREAS, Section 7-3.401 of the Modesto Municipal Code authorizes the Council, by resolution, to establish charges and fees for activities and services at the Modesto City-County Airport/Harry Sham Field,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. HANGARS. Rental charges for the rental of hangars at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) T-Hangars:

Hangar No. A . . . . . $60.00 per unit per month.

End Units . . . . . $72.00 per unit per month.

Hangar No. B . . . . . $66.00 per unit per month.

End Units . . . . . $82.00 per unit per month.

Hangar No. C . . . . . $68.00 per unit per month.

End Units . . . . . $84.00 per unit per month.

Hangar No. D . . . . . $70.00 per unit per month.

End Units . . . . . $83.00 per unit per month.

Hangar No. E . . . . . $94.00 per unit per month.

End Units . . . . . $110.00 per unit per month.

Hangar No. F . . . . . $94.00 per unit per month.

End Units . . . . . $110.00 per unit per month.

Hangar No. G . . . . . $104.00 per unit per month.

Hangar No. H . . . . . $104.00 per unit per month.

Hangar No. J . . . . . $104.00 per unit per month.

A five percent (5%) discount will be made in any of the above rental charges when a year's lease is entered into and the year's rental charges are paid in advance.

b. Storage Hangars:

| | | |
|---|---|---|
| Hangar No. 1 . . . . . | $1,050.00 | per month ($.07 per square foot per month) plus office space at $.20 per square foot per month |
| Hangar No. 2 . . . . . | $ 420.00 | per month ($.07 per square foot per month) plus office space at $.20 per square foot per month |
| Hangar No. 3 . . . . . | $ 288.00 | per month ($.08 per square foot per month) plus office space at $.20 per square foot per month |
| Hangar No. 4 . . . . . | $ 384.00 | per month ($.08 per square foot per month) plus office space at $.20 per square foot per month |
| Hangar No. 5 . . . . . | $ 480.00 | per month ($.08 per square foot per month) plus office space at $.20 per square foot per month |
| Hangar No. 6 . . . . . | $ 288.00 | per month ($.08 per square foot per month) plus office space at $.20 per square foot per month |

SECTION 2. TIE-DOWN FEES. Tie-down charges and fees at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) Tail-in Tie-Down - Permanent, light single and multi-engine (under 12,500 lbs) $24.00 per month.

(b) Taxi-in Tie-Down - Permanent, light single and multi-engine aircraft (under 12,500 lbs) $48.00 per month.

(c) Taxi-in Tie-Down - Permanent, large multi-engine (over 12,500 lbs) $.015 per square foot per month.

(d) Taxi-in Tie-Down - Transient, light single-engine aircraft (under 12,500 lbs) $2.00 per day.

(e) Taxi-in Tie-Down - Transient, light multi-engine aircraft (under 12,500 lbs) $4.00 per day.

(f) Taxi-in Tie-Down - Transient, large multi-engine aircraft (over 12,500 lbs) $6.00 per day.

(g) Taxi-in Tie-Down - Transient, large four-engine aircraft (over 12,500 lbs) $8.00 per day.

A five (5%) percent discount will be made in the rental charges set forth in subparagraphs (a), (b), and (c), above when a year's lease is entered into and the year's rental charges are paid in advance.

Overnight tie-downs of aircraft belonging to or in the custody or possession of a lessee at the Modesto City-County Airport/Harry Sham Field shall be subject to the normal tie-down charge as specified by this section.

SECTION 3. OFFICE SPACE. The charge for office space at the Modesto City-County Airport/Harry Sham Field is hereby estabished as follows:

(a) Office Building No. 1 . . . . . $424.00 per month.

(b) Office Building No. 2, Suite A . . . . . $205.00 per month.

(c) Office Building No. 2, Suite B . . . . . $126.00 per month.

(d) Hangar Office Space . . . . . $.20 per square foot per month

SECTION 4. NONSCHEDULED TRANSIENT AIRCRAFT CARRYING PASSENGERS AND/OR CARGO FOR HIRE. Aircraft landing at the Modesto City-County Airport/Harry Sham Field shall pay a landing fee as follows:

(a) All light single and multi-engine aircraft, $10.00 per landing.

(b) All large single and multi-engine aircraft, $.60 per 1,000 pounds gross weight, but not less than $10.00 per landing.

(c) All other aircraft not based at the Modesto City-County Airport/Harry Sham Field, owned and operated by individuals, companies and corporations carrying their own products shall not be charged for the first two (2) trips per calendar month; all other trips for the same calendar month shall be charged for at the same rates applied to non-scheduled aircraft carrying cargo for hire.

(d) No landing fee shall be charged for any aircraft which lands at the airport due to any mechanical or other emergency, except weather, provided that such emergency is reported to the Airport Control Tower prior to landing.

SECTION 5. PERMANENTLY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise permanently based at the Modesto City-County Airport/Harry Sham Field shall pay to the City a fee equivalent to the City Business License Fees set forth in Chapter I of Title VI of the Modesto Municipal Code, except that a maximum fee of $100 will be paid for each aircraft sold, for the privilege of engaging in business in the City of Modesto and on the Airport. Said sum shall be payable at the time and in the manner provided for in Chapter I of Title VI of the Modesto Municipal Code.

SECTION 6. FUEL FLOWAGE FEES. A fuel flowage fee of five cents ($.05) per gallon of fuel sold on the Airport shall be collected for the City of Modesto by the fuel vendors, except that reduced fuel flowage fees collected from scheduled air carriers can be negotiated for volume purchases.

SECTION 7. TEMPORARILY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise, temporarily based at the Modesto City-County Airport/Harry Sham Field, shall pay to the City a license fee in the sum of Two Hundred and no/100ths ($200.00) Dollars, payable in advance.

Each such operator shall also pay to the City an additional sum of Ninety and no/100ths ($90.00) Dollars per month, or any portion thereof, payable in advance, for the privilege of using the Airport and its facilities.

SECTION 8. MOTOR VEHICLE STORAGE CHARGES. Any person who parks a motor vehicle at the Modesto City-County Airport/Harry Sham Field for longer than thirty (30) days at a time shall pay to the City a parking fee of Twenty-five and no/100ths ($25.00) Dollars per month, payable in advance.

SECTION 9. PENALTIES. A five (5%) percent penalty charge shall be made on any of the charges and fees established by this resolution when such charges and fees are not paid within thirty (30) days after they are due and payable.

SECTION 10. EFFECTIVE DATE. This resolution shall go into effect and be in full force and operation retroactively to January 1, 1983, except that it shall be effective for Section 5 retroactively to July 1, 1982.

SECTION 11. SUPERSEDE: This resolution supersedes Resolution No. 82-645 adopted by the City Council on August 10, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of February, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-95

A RESOLUTION ENDORSING STANISLAUS COUNTY'S APPLICATION TO BE DESIGNATED AS A SERVICE DELIVERY AREA FOR THE JOB TRAINING PARTNERSHIP ACT PROGRAM.

WHEREAS, the Federal Job Training Partnership Act (JTPA) Program will replace the Comprehensive Employment and Training Act (CETA) Program, and

WHEREAS, in order for an area to participate in the JTPA Program a local agency must be designated a Service Delivery Area (SDA), and

WHEREAS, a SDA must have a minimum 200,000 population base and must serve a substantial labor market area, and

WHEREAS, Stanislaus County is the only local agency that meets those criteria, and

WHEREAS, Stanislaus County has previously administered the CETA Program for this area,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby endorses Stanislaus County's application to be designated a Service Delivery Area for the Job Training Partnership Act Program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of February, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-96

A RESOLUTION REQUESTING THE STANISLAUS COUNTY PLANNING COMMISSION AND THE STANISLAUS COUNTY BOARD OF SUPERVISORS TO NOT APPROVE CREATION OF PARCELS OF LESS THAN 10 ACRES OR URBAN LAND USES IN THE COUNTY AREAS DESIGNATED AS URBAN TRANSITION ADJACENT TO THE CITY OF MODESTO UNTIL A JOINT REVIEW OF THE LAND USE POLICIES IN SAID AREAS IS COMPLETED AND APPROVED.

WHEREAS, the areas adjacent to the City of Modesto are zoned by Stanislaus County as A-2-10 and designated as Urban Transition, and

WHEREAS, under current Stanislaus County policies, parcels may be split into less than 10 acre parcels in the Urban Transition Areas, and

WHEREAS, under current Stanislaus County policies, some urban land uses can be approved in the Urban Transition Areas, and

WHEREAS, there is a need for Stanislaus County and the City of Modesto to examine those policies and reestablish them to protect current agricultural uses and the ability to efficiently develop urban uses in the future, and

WHEREAS, the Chairman of the Stanislaus County Board of Supervisors has suggested that the City and County Planning Commissions jointly meet to discuss and develop recommended policies for the Urban Transition Areas for consideration and adoption by the Modesto City Council and Stanislaus County Board of Supervisors, and

WHEREAS, that process will take several weeks/months to complete, and

WHEREAS, this Council is desirous of not having any pending or proposed applications approved for creating parcels of less than 10 acres and for urban land uses in the Urban Transition Areas adjacent to the City of Modesto until completion of the review process described above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby requests the Stanislaus County Planning Commission and the Stanislaus County Board of Supervisors to not approve the creation of parcels of less than

10 acres or urban land uses in the County areas designated as Urban Transition adjacent to the City of Modesto until such time as a joint review of the land use policies in said areas is completed and approved.

BE IT FURTHER RESOLVED that the Stanislaus County Board of Supervisors is hereby requested to formalize their position regarding the Urban Transition Areas as requested hereby for the guidance of the various City and County boards, commissions and staffs and persons owning and proposing to develop parcels in the Urban Transition Areas.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of February, 1983, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-97

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR STANDIFORD AVENUE IMPROVEMENTS - CONANT AVENUE TO 644 FT. EAST OF STANDIFORD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Standiford Avenue improvements - Conant Avenue to 644 ft. east of Standiford

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 15, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of February, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-98

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** WATER SYSTEM STRENGTHENING ON "L" STREET BETWEEN FREEWAY 99 AND BLOCK 40 AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Public Works **that the construction of** water system strengthening on "L" Street between Freeway 99 and Block 40 **has been completed by** Joe Martin Pipeline, Inc.

**in accordance with the contract agreement dated** October 12, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** water system strengthening on "L" Street between Freeway 99 and Block 40 **be accepted from said contractor,** Joe Martin Pipeline, Inc.;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $18,984.70 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** February, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-99

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** ASPHALT CONCRETE OVERLAYS OF VARIOUS RESIDENTIAL STREETS - 1982-83 AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Public Works **that the construction of** asphalt concrete overlays of various residential streets - 1982-83 **has been completed by** The Flintkote Company

**in accordance with the contract agreement dated** September 7, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** asphalt concrete overlays of various residential streets - 1982-83 **be accepted from said contractor,** The Flintkote Company;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $139,019.40 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** February, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-100

A RESOLUTION ACCEPTING THE BID OF WALTHER ELECTRIC CO., INC. FOR BRIGGSMORE AVENUE STREET LIGHTING

WHEREAS, Resolution No. 83-57, adopted by the Council of the City of Modesto on February 1, 1983 , approved the plans and specifications for the Briggsmore Avenue street lighting project

and authorized the calling for bids; and

WHEREAS, the bids received for the Briggsmore Avenue street lighting project

were opened at 11:05 a.m. on February 15, 1983, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Walther Electric Co., Inc. in the amount of $27,000

be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Walther Electric Co., Inc. in the amount of $27,000

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of February , 19 83, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-101

A RESOLUTION ACCEPTING THE BID OF BARHAM ENTERPRISES FOR MCHENRY MANSION RESTORATION-FIRST FLOOR, PHASE 2

WHEREAS, Resolution No. 83-35, adopted by the Council of the City of Modesto on January 18, 1983 , approved the plans and specifications for the McHenry Mansion restoration - first floor, phase 2 and authorized the calling for bids; and

WHEREAS, the bids received for the McHenry Mansion restoration - first floor, phase 2 were opened at 11:00 a.m. on February 15, 1983, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Barham Enterprises in the amount of $71,484 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Barham Enterprises in the amount of $71,484 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of February , 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-102

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $8,323 FROM CONTINGENCY RESERVE FOR INTERIOR RESTORATION OF MCHENRY MANSION

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Contingency Reserve | $8,323 |
| TO: | McHenry Mansion Restoration | $8,323 |

Bids for the McHenry Mansion Restoration - First Floor, Phase 2 , were higher than anticipated. Transfer needed to complete this phase.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** February, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-103

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF TWENTY-TWO POLICE PATROL CARS THROUGH THE STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES

WHEREAS, the Public Works Service Division has budgeted for the replacement of twenty-two Police patrol cars this 1982-83 Fiscal Year; and

WHEREAS, the City has frequently purchased patrol cars through the State of California Department of General Services because products can be obtained through the cooperative purchasing program at prices generally available only to large volume buyers.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of twenty-two Police patrol cars is hereby waived.

BE IT FURTHER RESOLVED that purchase of twenty-two Police patrol cars through the State of California Department of General Services for the total price of $200,391.45, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of February, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-104

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF RAY EWING FROM THE PLANNING COMMISSION, EFFECTIVE FEBRUARY 22, 1983

WHEREAS, Ray Ewing was appointed a member of the Planning Commission January 17, 1977; and

WHEREAS, Ray Ewing has tendered his resignation from the Planning Commission, effective February 22, 1983; and

WHEREAS, Ray Ewing has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignation of Ray Ewing from the Planning Commission be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to Ray Ewing for his outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of February, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-105

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** BERNICE T. WHITELY FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1410 GARDEN AVENUE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Bernice T. Whitely for sewer service to property outside City limits at 1410 Garden Avenue, located on the south side of Garden Avenue between Sutter Avenue and Colorado Avenue

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** February, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-106

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE MODESTO LABOR TEMPLE CORPORATION FOR ACQUISITION OF THEIR PROPERTY AT 602 10TH STREET NEEDED FOR THE POLICE FACILITIES EXPANSION PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Modesto Labor Temple Corporation for acquisition of their property at 602 10th Street needed for the Police facilities expansion project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** February**, 19** 83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-107

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE MODESTO LABOR TEMPLE CORPORATION TO LEASE PROPERTY AT 602 10TH STREET, ACQUIRED FOR THE POLICE FACILITIES EXPANSION PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Modesto Labor Tample Corporation to lease property at 602 10th Street, acquired for the Police facilities expansion project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** February, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-108

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** EUGENE R. ABEL FOR THE ACQUISITION OF 0.02± ACRES OF HIS LAND NEEDED FOR THE PARADISE/ELLEN TO CARPENTER PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Eugene R. Abel for the acquisition of 0.02± acres of his land needed for the Paradise/Ellen to Carpenter project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** February**, 19**83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-109

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE PROPOSED LINCOLN ESTATES ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the proposed Lincoln Estates Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of February, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

# CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Lincoln Estates

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

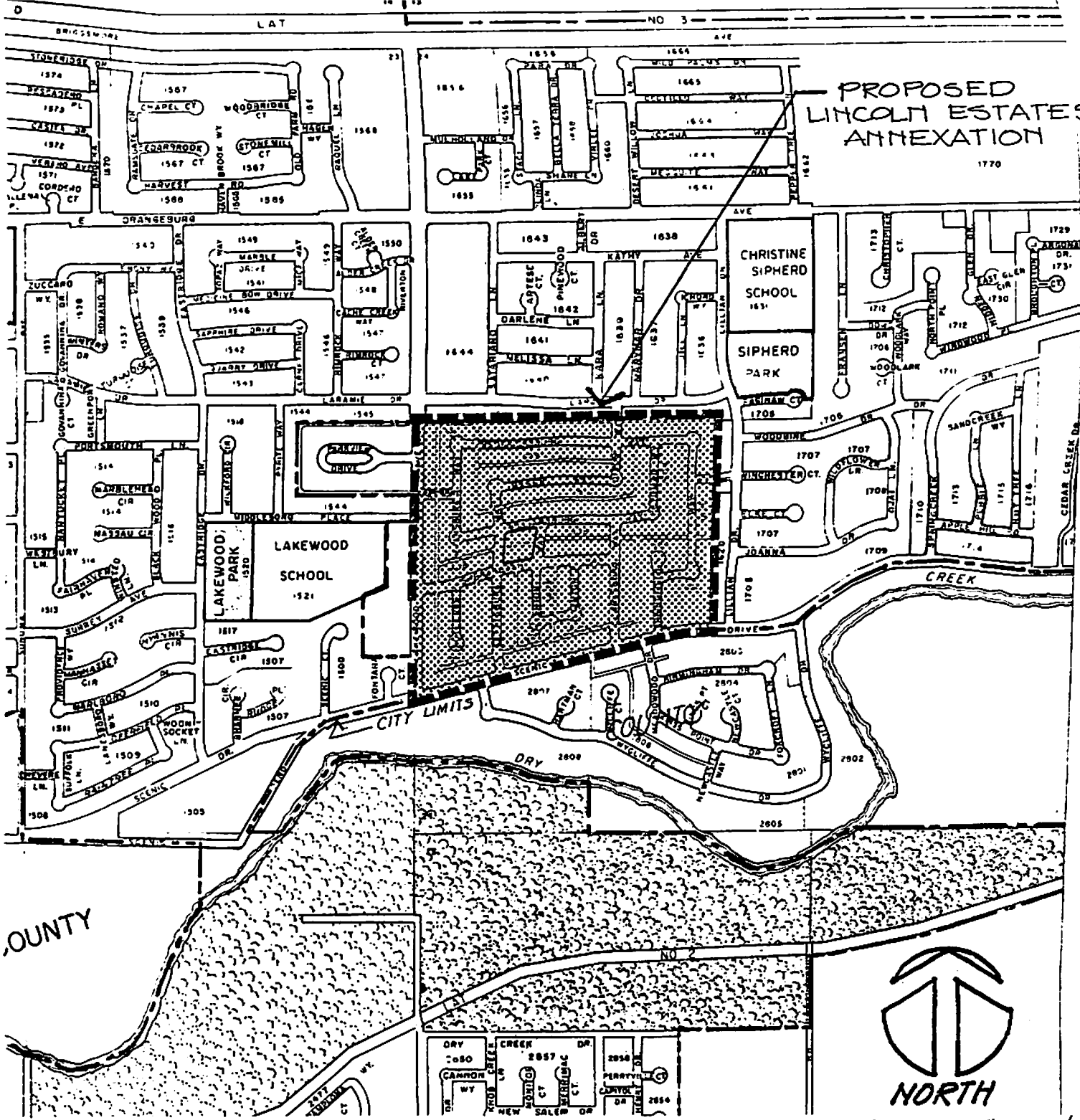
   Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   No

5. Other comments the city would like to make.

   None




# PROPOSED
# LINCOLN ESTATES
# ANNEXATION

## TO THE CITY OF MODESTO

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-110

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** JOHN R. AND CECELIA R. FLEMING FOR THE ACQUISITION OF 0.05± ACRES OF THEIR PROPERTY NEEDED FOR THE PARADISE/ELLEN TO CARPENTER PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** John R. and Cecelia R. Fleming for the acquisition of 0.05± acres of their property needed for the Paradise/Ellen to Carpenter project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** February, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-111

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** J.C. DISPLAY COMPANY TO PROVIDE ANNOUNCEMENT BOARDS AT THE CITY GOLF COURSES

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** J.C. Display Company to provide announcement boards at the Nine-Hole and Dryden Municipal Golf Courses to provide a place to display a calendar of coming events

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** February, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-112

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (SCENIC - OAKDALE NO. 3 ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on January 11, 1983, duly adopted Resolution No. 83-19 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 234 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, March 1, 1983, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 234 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 234 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 234, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 234, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department
J. Christianson, 1-14-83



130/000-00160-01/15/79

All that real property in the State of California, County of Stanislaus, being portions of the Southwest quarter of Section 23 and the Northwest quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern corner of DRY CREEK PARK NO. 3 ADDITION (313), as per description filed January 21, 1974, as Instrument 27802, Stanislaus County Records, said point being on the Southern line of SCENIC-OAKDALE ADDITION (371), as per description filed April 5, 1978, as Instrument 63080, Stanislaus County Records, said point also being on the centerline of the former 50.00 foot Scenic Drive, said centerline being a curve from which point a radial line bears South 13° 32' 21" West;

1. thence along the existing City Limits on said Southern line of ADDITION (371) and said centerline of Scenic Drive, said line being a curve concave to the Southwest, having a Radius of 954.93 feet, a Central Angle of 9° 25' 58" and an Arc Length of 157.21 feet;

2. thence continuing along the existing City Limits on a Southern line of ADDITION (371) and said centerline of Scenic Drive, South 67° 01' 41" East, 131.14 feet, to the Southeastern corner of ADDITION (371);

3. thence leaving the existing City Limits and continuing along the centerline of Scenic Drive, South 67° 01' 41" East, 96.82 feet;

4. thence continuing along the centerline of Scenic Drive on a tangent curve concave to the Northeast, having a Radius of 572.96 feet, a Central Angle of 21° 47' 48" and an Arc Length of 217.97 feet;

5. thence along the centerline of Scenic Drive on a tangent line, South 88° 49' 29" East, 355.37 feet, to the Northeastern corner of the property conveyed to Wanda Clemens, by Administratrix's Deed recorded August 19, 1968, as Instrument 25721, Stanislaus County Records;

6. thence along the Eastern line of said Clemens property, South 00° 13' 29" East, 408.93 feet, to the Southeastern corner of the Clemens property and a point on a Northern line of said ADDITION (313);

7. thence along the existing City Limits on said Northern line of ADDITION (313), South 85° 57' 31" West, 184.56 feet;

8. thence continuing along the existing City Limits on a Northeastern line of ADDITION (313), North 40° 51' 29" West, 221.79 feet;

9. thence continuing along the existing City Limits on a Northeastern line of ADDITION (313), North 62° 41' 10" West, 591.29 feet;

10. thence continuing along the existing City Limits on a Northern line of ADDITION (313), North 72° 05' 00" West, 75.40 feet;

11. thence continuing along the existing City Limits on an Eastern line of ADDITION (313), North 00° 33' 41" West, 150.44 feet, to the point of beginning containing 5.438 Acres, more or less.

# CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on March 1, 1983, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Siefkin, seconded by Councilmember Lang, and adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: March 1, 1983

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

Scenic-Oakdale No. 3

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-113

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. ( ROBIN HOOD ESTATES ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on January 18, 1983, duly adopted Resolution No. 83-41 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 235 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, March 1, 1983, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 235 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 235 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 235, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 235, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1983, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department
J. Christiansen 1-25-83



130/000-00160-01/15/79

August 2, 1982

CITY OF MODESTO

ROBINHOOD ESTATES ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), as per description filed April 15, 1981, as Instrument 61596, Stanislaus County Records, said point being the intersection of the center line of a 20.00 foot East-West alley in Block 12322 with the Western line of a 14.00 foot North-South alley in Block 12322 as dedicated by the final map of ROBINHOOD ESTATES Subdivision, as per map filed May 31, 1962, in Volume 20 of Maps, Page 15, Stanislaus County Records;

1. thence along the existing City Limits on an Eastern line of said NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), North 00° 46' 42" West, 459.22 feet, to the Northeastern corner of said REORGANIZATION (435) and a Southeastern corner of the McHENRY-SYLVAN NO. 2 ADDITION (353), as per description filed March 1, 1977, as Instrument 51027, Stanislaus County Records;

2. thence continuing along the existing City Limits on an Eastern line of said ADDITION (353), North 00° 46' 42" West, 854.45 feet, to the Northeastern corner of said ADDITION (353) and a point on the Southern line of the McHENRY-SYLVAN ADDITION (276), as per description filed October 15, 1971, as Instrument 39501, Stanislaus County Records;

3. thence continuing along the existing City Limits on said Southern line of ADDITION (276), said line being the East-West quarter section line of said Section 9, South 89° 16' 38" East, 659.09 feet, to the Northwestern corner of the SHERWOOD FOREST NO. 2 ADDITION (451), as per description filed June 21, 1982, as Instrument 28536, Stanislaus County Records;

4. thence continuing along the existing City Limits on the Western line of said ADDITION (451), South 00° 46' 24" East, 1312.38 feet, to its intersection with the Easterly extension of said centerline of the 20.00 foot East-West alley in Block 12322;

5. thence leaving the existing City Limits and along said Easterly extension of and said center line of the 20.00 foot East-West alley in Block 12322, North 89° 23' 20" West, 658.94 feet, to the point of beginning, containing 19.858 Acres, more or less.

# CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on March 1, 1983, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Siefkin, seconded by Councilmember Lang, and adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: March 1, 1983

Norrine Coyle
City Clerk of the City of Modesto, California

(SEAL)

Robin Hood Estates

MODESTO CITY COUNCIL
RESOLUTION NO. 83-114

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR PARKING LOT IMPROVEMENT AT AMERICAN LEGION HALL ON SOUTH SANTA CRUZ AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for parking lot improvement at American Legion Hall on South Santa Cruz Avenue copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 22, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1983, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-115

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING REPAIR OF GARDEN REFUSE PACKER TRUCK NO. 40251 BY HEIL EQUIPMENT COMPANY IN THE AMOUNT OF $8,800

WHEREAS, the rear blade assembly on garden refuse packer truck No. 40251 has completely failed and the truck is no longer operative; and

WHEREAS, special equipment required to make these repairs is only manufactured by Heil Equipment Company who originally manufactured this truck.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the repair of garden refuse packer truck No. 40251 is hereby waived.

BE IT FURTHER RESOLVED that repair of garden refuse packer truck No. 40251 by Heil Equipment Company in the amount of $8,800 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1983, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-116

A RESOLUTION URGING QUALIFYING HOMEOWNERS TO PARTICIPATE IN THE PACIFIC GAS AND ELECTRIC COMPANY'S DIRECT WEATHERIZATION PROGRAM.

WHEREAS, the Pacific Gas and Electric Company (P.G. & E.), in accordance with California Public Utility Commission requirements, has established a Direct Weatherization Program, and

WHEREAS, said Direct Weatherization Program provides free ceiling insulation, weather stripping, caulking, water heater blankets, low flow shower heads, duct wrapping and up to $200 for home repairs for low-income homeowners, and

WHEREAS, P. G. & E. has requested that the City of Modesto urge qualifying homeowners to participate in this free program, and

WHEREAS, the program will provide needed energy conservation assistance for low-income families and will help the P. G. and E. in its efforts to conserve energy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby urges qualifying homeowners to participate in the P. G. & E.'s Direct Weatherization Program which provides free ceiling insulation, weather stripping, caulking, water heater blankets, low flow shower heads, duct wrapping and up to $200 for home repairs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1983, by Councilmember Lang, who moved its adoption, which motion being duly

seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-117

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE STATE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING (D.F.E.H.) TO ALLOW THE HUMAN RELATIONS COMMISSION TO REFER HOUSING COMPLAINTS IT HAS NOT BEEN ABLE TO SOLVE TO THE D.F.E.H.

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the State Department of Fair Employment and Housing (D.F.E.H.) to allow the Human Relations Commission to refer housing complaints it has not been able to solve to the D.F.E.H.

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** March**, 19**83**, by Councilmember** Siefkin**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-118

HOLD HARMLESS
**A RESOLUTION APPROVING/AGREEMENTS BETWEEN THE CITY OF MODESTO AND** PROPERTY OWNERS WHERE THE DEPARTMENT'S CRIME PREVENTION TRAILER IS TO BE DISPLAYED

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** it does hereby authorize the City Manager and the Police Department to enter into "Hold Harmless" agreements with property owners where the Department's Crime Prevention Trailer is to be displayed.

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** March, **19**83, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-119

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** IRIS, Ltd., FOR RENEWAL OF PUBLIC LIABILITY INSURANCE COVERAGE FOR THE MODESTO CITY-COUNTY AIRPORT, EFFECTIVE MARCH 1, 1983

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** IRIS, Ltd., for renewal of public liability insurance coverage for the Modesto City-County Airport, effective March 1, 1983

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** March**, 19**83**, by Councilmember** Siefkin**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-120
REVISED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE FEDERAL AVIATION ADMINISTRATION (FAA) CHANGING RESPONSIBILITY FOR MAINTENANCE AND OPERATION OF THE FRANGIBLE MOUNTED APPROACH LIGHTING SYSTEM AT THE CITY-COUNTY AIRPORT TO THE FAA

**BE IT HEREBY RESOLVED by the Council of the City of Modesto** revised **that the /agreement between the City of Modesto and** the Federal Aviation Administration (FAA) changing responsibility for maintenance and operation of the newly replaced frangible mounted approach lighting system at the City-County Airport to the FAA

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** March, **19** 83, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-121

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS FOR WATER SERVICE TO THEIR FACILITY ON DALE ROAD

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Church of Jesus Christ of Latter Day Saints for water service to their facility on Dale Road

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** March**, 19** 83**, by Councilmember** Siefkin**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-122

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATION AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to amend the specification for the following classification, as shown on Exhibit "A", which is hereby made a part of this resolution by reference and is hereby approved and made a part of the Position Classification Plan of the City of Modesto:

Maintenance Worker Trainee

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1983, by Councilmember Siefkin, who moved its adoption, which motion being

duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

# MAINTENANCE WORKER I
# MAINTENANCE WORKER TRAINEE

## DEFINITION

This series specification describes two classes which have responsibilities to perform basic work in the maintenance and repair of parks, park facilities, street trees, streets, traffic control markings, fire hydrants, or other public works; to learn progressively more difficult tasks; and to do related work as required.

## DISTINGUISHING CHARACTERISTICS

Maintenance Worker Trainee is the entry-level and training class in the series. Incumbents perform heavy manual labor and a variety of unskilled and semi-skilled tasks. When the employee's employment history shows one (1) year of satisfactory performance as a Maintenance Worker Trainee, he/she will be promoted to the next higher class of Maintenance Worker I.

## EXAMPLES OF DUTIES

(Any one position may not include all the duties listed, nor do the examples cover all the duties which may be performed.)

Performs heavy manual labor and a variety of unskilled and semi-skilled maintenance work; lifts, carries and moves stock and/or evidence in the Police records section; may operate equipment in a learning or training capacity; spreads asphalt screenings, oil, gravel, sand and other surfacing materials; loads and unloads street maintenance materials; clears debris from culverts and ditches; picks up sweeper dumps, garden refuse, and other materials; cleans and maintains rock wells; washes, waxes, and vacuums City vehicles; controls traffic in the vicinity of work projects; trims, plants, transplants, irrigates, cultivates, and maintains trees, shrubs, flowers, and turfs; plants, weeds and maintains bedded shrubs and flowers; mows, edges, and maintains grass and turf areas, using hand operated and power operated equipment; rakes, gathers, loads, and hauls leaves and refuse; insures that play apparatus and turf areas have a clean and neat appearance; may apply herbicides, pesticides, and fertilizers as directed; cleans pools and maintains proper chemical balance; empties and maintains litter receptacles; keeps tools and equipment in a clean and safe working condition.

## SPECIAL REQUIREMENTS

License:

In order to be promoted and remain in the class of Maintenance Worker I, an employee must possess a valid Class 3 operator's license issued by the California Department of Motor Vehicles.

Background Investigation:

Prior to appointment, individuals assigned to the Police Department must pass a thorough background investigation.

EMPLOYMENT STANDARDS

Ability to:

Use basic tools;
Perform heavy manual labor, meaning lifting, carrying fifty (50) to one hundred (100) pounds of weight;
Meet and maintain physical standards set by the City;
Learn to operate a variety of equipment;
Learn more difficult work procedures and tasks in an assigned area;
Work irregular shifts or hours;
Establish and maintain effective working relationships with the general public, co-workers, supervisors, and members of diverse cultural and linguistic backgrounds, regardless of race, creed, color, religion, sex, age, or handicap;
Understand oral and written directions;
Learn safety precautions and practices necessary with tools and around mechanical equipment.

and

Education/Experience:

Maintenance Worker Trainee

Any combination of training and experience that demonstrates the knowledges and abilities required above.

Maintenance Worker I

One (1) year as a Maintenance Worker Trainee with the City of Modesto.

or

One (1) year of experience in the maintenance or construction of buildings, grounds, streets, sewers or water systems or one year of experience in the operation of machinery used in these areas.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-123

A RESOLUTION ESTABLISHING CHARGES AND FEES FOR ACTIVITIES AND SERVICES AT THE MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD, AND SUPERSEDING RESOLUTION NO. 83-94.

WHEREAS, Section 7-3.401 of the Modesto Municipal Code authorizes the Council, by resolution, to establish charges and fees for activities and services at the Modesto City-County Airport/Harry Sham Field,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. HANGARS. Rental charges for the rental of hangars at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) T-Hangars:

Hangar No. A . . . . . $60.00 per unit per month.

End Units . . . . . $72.00 per unit per month.

Hangar No. B . . . . . $66.00 per unit per month.

End Units . . . . . $82.00 per unit per month.

Hangar No. C . . . . . $68.00 per unit per month.

End Units . . . . . $84.00 per unit per month.

Hangar No. D . . . . . $70.00 per unit per month.

End Units . . . . . $83.00 per unit per month.

Hangar No. E . . . . . $94.00 per unit per month.

End Units . . . . . $110.00 per unit per month.

Hangar No. F . . . . . $94.00 per unit per month.

End Units . . . . . $110.00 per unit per month.

Hangar No. G . . . . . $104.00 per unit per month.

Hangar No. H . . . . . $104.00 per unit per month.

Hangar No. J . . . . . $104.00 per unit per month.

A five percent (5%) discount will be made in any of the above rental charges when a year's lease is entered into and the year's rental charges are paid in advance.

b. Storage Hangars:

| | | |
|---|---|---|
| Hangar No. 1 . . . . . | $1,050.00 | per month ($.07 per square foot per month) plus office space at $.20 per square foot per month |
| Hangar No. 2 . . . . . | $ 420.00 | per month ($.07 per square foot per month) plus office space at $.20 per square foot per month |
| Hangar No. 3 . . . . . | $ 288.00 | per month ($.08 per square foot per month) plus office space at $.20 per square foot per month |
| Hangar No. 4 . . . . . | $ 384.00 | per month ($.08 per square foot per month) plus office space at $.20 per square foot per month |
| Hangar No. 5 . . . . . | $ 480.00 | per month ($.08 per square foot per month) plus office space at $.20 per square foot per month |
| Hangar No. 6 . . . . . | $ 288.00 | per month ($.08 per square foot per month) plus office space at $.20 per square foot per month |

SECTION 2. TIE-DOWN FEES. Tie-down charges and fees at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) Tail-in Tie-Down - Permanent, light single and multi-engine (under 12,500 lbs) $24.00 per month.

(b) Taxi-in Tie-Down - Permanent, light single and multi-engine aircraft (under 12,500 lbs) $48.00 per month.

(c) Taxi-in Tie-Down - Permanent, large multi-engine (over 12,500 lbs) $.015 per square foot per month.

(d) Taxi-in Tie-Down - Transient, light single-engine aircraft (under 12,500 lbs) $2.00 per day.

(e) Taxi-in Tie-Down - Transient, light multi-engine aircraft (under 12,500 lbs) $4.00 per day.

(f) Taxi-in Tie-Down - Transient, large multi-engine aircraft (over 12,500 lbs) $6.00 per day.

(g) Taxi-in Tie-Down - Transient, large four-engine aircraft (over 12,500 lbs) $8.00 per day.

A five (5%) percent discount will be made in the rental charges set forth in subparagraphs (a), (b), and (c) above when a year's lease is entered into and the year's rental charges are paid in advance.

A volume discount may be given to Fixed Base Operators (FBO's) that operate flight schools for light single and multi-engine aircraft (under 12,500 pounds) for tie-down spaces as set forth in subsections (a) and (b) above. For every two tail-in tie-down spaces the FBO agrees to lease, one taxi-in tie-down may be leased for the same price as a tail-in tie-down.

Overnight tie-downs of aircraft belonging to or in the custody or possession of a lessee at the Modesto City-County Airport/Harry Sham Field shall be subject to the normal tie-down charge as specified by this section.

SECTION 3. OFFICE SPACE. The charge for office space at the Modesto City-County Airport/Harry Sham Field is hereby estabished as follows:

(a) Office Building No. 1 . . . . . $424.00 per month.

(b) Office Building No. 2, Suite A . . . . . $205.00 per month.

(c) Office Building No. 2, Suite B . . . . . $126.00 per month.

(d) Hangar Office Space . . . . . $.20 per square foot per month

SECTION 4. NONSCHEDULED TRANSIENT AIRCRAFT CARRYING PASSENGERS AND/OR CARGO FOR HIRE. Aircraft landing at the Modesto City-County Airport/Harry Sham Field shall pay a landing fee as follows:

(a) All light single and multi-engine aircraft, $10.00 per landing.

(b) All large single and multi-engine aircraft, $.60 per 1,000 pounds gross weight, but not less than $10.00 per landing.

(c) All other aircraft not based at the Modesto City-County Airport/Harry Sham Field, owned and operated by individuals, companies and corporations carrying their own products shall not be charged for the first two (2) trips per calendar month; all other trips for the same calendar month shall be charged for at the same rates applied to non-scheduled aircraft carrying cargo for hire.

(d) No landing fee shall be charged for any aircraft which lands at the airport due to any mechanical or other emergency, except weather, provided that such emergency is reported to the Airport Control Tower prior to landing.

SECTION 5. PERMANENTLY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise permanently based at the Modesto City-County Airport/Harry Sham Field shall pay to the City a fee equivalent to the City Business License Fees set forth in Chapter I of Title VI of the Modesto Municipal Code, except that a maximum fee of $100 will be paid for each aircraft sold, for the privilege of engaging in business in the City of Modesto and on the Airport. Said sum shall be payable at the time and in the manner provided for in Chapter I of Title VI of the Modesto Municipal Code.

SECTION 6. FUEL FLOWAGE FEES. A fuel flowage fee of five cents ($.05) per gallon of fuel sold on the Airport shall be collected for the City of Modesto by the fuel vendors, except that reduced fuel flowage fees collected from scheduled air carriers can be negotiated for volume purchases.

SECTION 7. TEMPORARILY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise, temporarily based at the Modesto City-County Airport/Harry Sham Field, shall pay to the City a license fee in the sum of Two Hundred and no/100ths ($200.00) Dollars, payable in advance.

Eacn such operator shall also pay to the City an additional sum of Ninety and no/100ths ($90.00) Dollars per month, or any portion thereof, payable in advance, for the privilege of using the Airport and its facilities.

SECTION 8. MOTOR VEHICLE STORAGE CHARGES. Any person who parks a motor vehicle at the Modesto City-County Airport/Harry Sham Field for longer than thirty (30) days at a time shall pay to the City a parking fee of Twenty-five and no/100ths ($25.00) Dollars per month, payable in advance.

SECTION 9. PENALTIES. A five (5%) percent penalty charge shall be made on any of the charges and fees established by this resolution when such charges and fees are not paid within thirty (30) days after they are due and payable.

SECTION 10. EFFECTIVE DATE. This resolution shall go into effect and be in full force and operation on April 1, 1983.

SECTION 11. SUPERSEDE. This resolution supersedes Resolution No. 83-94 adopted by the City Council on February 15, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1983, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-124

A RESOLUTION ACCEPTING THE BID OF CAMELLIA VALLEY SUPPLY COMPANY FOR FURNISHING ITEMS I, II, AND III ON CITY SPECIFICATIONS FOR WATER WELL METERS

WHEREAS, Resolution No. 83-46, adopted by the Council of the City of Modesto on January 25, 1983 , approved the plans and specifications for the purchase of water well meters

and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of water well meters

were opened at 2:00 p.m. on February 22, 1983 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Camellia Valley Supply Co. for Items I, II, and III (10" meter w/26" flanged end; 12" meter w/28" flanged end; 12" meter w/28" plain end) in the amount of $5,272.00 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Camellia Valley Supply Company in the amount of $5,272.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March , 1983 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-125

A RESOLUTION ACCEPTING THE BID OF WATER SPECIALTIES CORPORATION FOR FURNISHING ITEM IV ON CITY SPECIFICATIONS FOR WATER WELL METERS

WHEREAS, Resolution No. 83-46, adopted by the Council of the City of Modesto on January 25, 1983, approved the plans and specifications for the purchase of water well meters and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of water well meters were opened at 2:00 p.m. on February 22, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Water Specialties Corporation for Item IV (12" meter head assembly) in the amount of $5,877.00 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Water Specialties Corporation in the amount of $5,877.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-126

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR USTICK DRAINAGE AREA AND WATERLINE EXTENSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the Ustick drainage area and waterline extension

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 29, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-127

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING THE PURCHASE OF ONE COPY MACHINE FROM L.M. MORRIS COMPANY

WHEREAS, the Housing Program Office is requesting a mid-volume copy machine to replace their Xerox 2300; and

WHEREAS, the informal bid process was used because staff anticipated the cost of the low bid machine to be below $5,000.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one copy machine is hereby waived.

BE IT FURTHER RESOLVED that the purchase of one copy machine from L.M. Morris Company for the total amount of $7,206.10 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-128

A RESOLUTION AMENDING THE COUNCIL'S POLICY FOR EVALUATING REQUESTS FOR DIRECT CITY ASSISTANCE TO INCLUDE FARE-FREE TRANSIT SERVICE AND SUPERSEDING RESOLUTION NO. 80-1066.

WHEREAS, by Resolution No. 80-1066 adopted on October 14, 1980, the Council adopted a "Policy for Evaluating Requests for Direct City Assistance," and

WHEREAS, the Council deems it desirable to amend said policy to include fare-free transit service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts an amended "Policy for Evaluating Requests for Direct City Assistance," a copy of which is attached hereto.

BE IT FURTHER RESOLVED that this resolution supersedes Resolution No. 80-1066 adopted by the Council on October 14, 1980.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

# POLICY FOR EVALUATING REQUESTS FOR DIRECT CITY ASSISTANCE

## Background

The City receives a number of requests each year from organized groups for direct City Assistance for planned and special events.

Such requests for assistance are usually for equipment, supplies, personnel, use of City streets or other facilities, fare-free transit service, or a combination thereof.

Because of financial and personnel limitations, the City is not always able to provide the requested assistance because of the number of planned and special events and the needs and obligations of the City.

## Purpose

The purpose of this policy statement is to establish evaluation criteria to provide a basis for determining when such assistance will be provided and whether a charge will be made.

## Policy

A. The City will consider providing direct City assistance when:

1. It has available the personnel, equipment, and/or supplies.

2. Similar services, equipment or supplies are not readily available in the community.

3. The needs and obligations of the City will not be adversely affected.

B. Subject to section A above, the City will consider providing direct City assistance to an organization without charge therefor if the organization is based in Modesto, provides a service or activity primarily for Modesto residents, and the event is:

1. A community-wide event held on a recurring basis to celebrate an established function or festivity, and is open to all Modesto residents who wish to participate.

2. A money-raising event and all proceeds will be turned over to the City for a public purpose.

3. A co-sponsored event with the City of Modesto and the co-sponsoring organization will not realize any profit from the event.

C. Subject to section A above, the City will consider providing direct City assistance to an organization with the cost thereof paid by the organization, if the organization is based in Modesto, and the event is:

1. A fund raising event by a not for profit organization and the proceeds of the event will be used by the organization for charitable purposes.

2. A non-fund raising event which is open to all Modesto residents who wish to participate.

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-129

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** CITY HOSPITAL EXTENDING CITY HOSPITAL'S LEASE ON PART OF LINCOLN SCHOOL SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** City Hospital, extending City Hospital's lease on part of the Lincoln School site

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** March, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Patterson |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-130

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** RECREATION SYSTEMS, INC. TO DEVELOP A MASTER PLAN FOR A SOCCER FIELD ADJACENT TO DEL WEBB FIELD AND FAIRWAY NEIGHBORHOOD PARK

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Recreation Systems, Inc. to develop a master plan for a soccer field adjacent to Del Webb Field and Fairway Neighborhood Park

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** March, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Patterson |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-131

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS ABOLISHED. The Position Classification Plan of the City of Modesto is hereby amended to abolish the following classifications:

Director of Public Works and City Engineer

Assistant Director of Public Works

SECTION 2. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is further amended to create the following new classifications:

Deputy City Manager

Director of Engineering Services

Director of Utility Services

The specifications for the classifications created, as shown on the attached Exhibits "A", "B", and "C", which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

SECTION 3. EFFECTIVE DATE. This resolution shall be effective on and after March 26, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1983, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

DEFINITION

Subject to the administrative determination of policy, to assist in the planning and direction of City administration, and to do related work as required.

EXAMPLES OF DUTIES

Under administrative direction of the City Manager, and as the City Manager's representative, assists with the development of City programs; coordinates and gives general direction to the activities of City departments; studies and recommends solutions to City administrative problems as they develop; reviews and approves financial requests in line with established City policies; consults with the City Manager for decisions on new or unusual policy matters; represents the City Manager and or the City in a wide variety of meetings with representatives of other governmental units and local citizen groups; assumes the duties of the City Manager in his absence.

EMPLOYMENT STANDARDS

Knowledge of:

Organization, operations, and problems of municipal government;
Principles and practices of modern administration, including budgeting and accounting;
Sources of information regarding municipal and administrative problems and methods.

Ability to:

Coordinate and direct the activities of City departments;
Analyze problems, and make clear, concise reports and recommendations;
Obtain the cooperation and confidence of others, and to work constructively with other City officials and with the public.

EDUCATION AND EXPERIENCE

Any combination of training and experience equivalent to completion of college with specialization in public or business administration and five years of progressively responsible public management experience.

# DIRECTOR OF ENGINEERING SERVICES

## DEFINITION

Under administrative direction, to plan, organize, direct and evaluate the activities of the Engineering Services Department; to perform the duties of City Engineer; to coordinate the planning, design, and inspection of engineering projects and services; and to do related work as required.

## EXAMPLES OF DUTIES

Plans, directs and coordinates department operations; integrates operations with other City departments and with federal, state, and county agencies and other cities; prepares and presents budget estimates and work programs; after approval, controls budget expenditures within the department and sets up an adequate system of reporting from subordinates necessary control information; conducts studies, prepares reports, and makes recommendations for the City Manager; represents the City in local matters and at conferences relating to the engineering services program; fulfills all responsibilities of City Engineer.

## SPECIAL REQUIREMENTS

Possession of a valid Certificate of Registration as a Civil Engineer issued by the State Board of Registration for Professional Engineers.

Possession of an appropriate California operator's license issued by the State Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

## EMPLOYMENT STANDARDS

Knowledge of:

- Civil engineering principles and practices as applied to the field of municipal public works, including planning, developing, designing, constructing, operating, and maintaining a variety of public works facilities;
- Technical, legal, financial, and public relations problems involved in the conduct of a municipal engineering and design program;
- Methods of preparing designs, plans, specifications, estimates, reports, and recommendations relating to the above;
- Principles of personnel management, supervision, organization, and training.

and

Exhibit "B"

Ability to:

Plan, organize, direct, coordinate and evaluate the work of the Department's staff in engineering and inspection activities;
Prepare and administer departmental budget and controls;
Advise the City Manager, Mayor, and City Council on engineering services needs and problems;
Prepare comprehensive and complex technical reports;
Establish and maintain cooperative and effective work relationships with subordinates, public groups and organizations, City officials, and other governmental agencies.

and

Experience:

Five years of progressively responsible and varied professional civil engineering experience including design and construction, and including three years in a supervisory or administrative capacity over professional and subprofessional engineering personnel.

and

Education:

Graduation from a four year college or university with a major emphasis in Civil Engineering.

## DEFINITION

Under administrative direction, to plan, organize, direct and evaluate the activities of the Utility Services Department; to perform the duties of Superintendent of Streets; to coordinate the planning, construction, maintenance, and inspection of utility services; and to do related work as required.

## EXAMPLES OF DUTIES

Plans, directs and coordinates department operations; integrates operations with other City departments and with federal, state, and county agencies and other cities; prepares and presents budget estimates and work programs; after approval, controls budget expenditures within the department and sets up an adequate system of reporting from subordinates necessary control information; conducts studies, prepares reports, and makes recommendations for the City Manager; represents the City in local matters and at conferences relating to the utility services program; establishes broad departmental policies and directs and coordinates top subordinates engaged in carrying out the public works program.

## SPECIAL REQUIREMENTS

Possession of a valid Certificate of Registration as a Civil Engineer issued by the State Board of Registration for Professional Engineers.

Possession of an appropriate California operator's license issued by the State Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

## EMPLOYMENT STANDARDS

Knowledge of:

- Civil engineering principles and practices as applied to the field of municipal public works, including planning, developing, designing, constructing, operating, and maintaining a variety of facilities;
- Technical, legal, financial, and public relations problems involved in the conduct of a municipal utilities program; Methods of preparing designs, plans, specifications, estimates, reports, and recommendations relating to municipal utilities and public works facilities;
- Principles of personnel management, supervision, organization, and training.

and

Ability to:

Plan, organize, direct, coordinate and evaluate the work of the Department's staff in public works maintenance, operations, and inspection activities;
Prepare and administer departmental budget and controls;
Advise the City Manager, Mayor, and City Council on utility services needs and problems;
Prepare comprehensive and complex technical reports;
Establish and maintain cooperative and effective work relationships with subordinates, public groups and organizations, City officials, and other governmental agencies.

and

Experience:

Five years of progressively responsible and varied professional civil engineering experience, including three years in a supervisory or administrative capacity over professional and subprofessional engineering personnel.

and

Education:

Graduation from a four year college or university with a major emphasis in Civil Engineering.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-132

A RESOLUTION AMENDING EXHIBITS "E-2" AND "G" OF RESOLUTION NO. 82-488 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO EXHIBIT "E-2" OF RESOLUTION NO. 82-488. Exhibit "E-2" entitled "City of Modesto Schedule of Salary Ranges in City Service for the Fiscal Year 1982-83", attached to Resolution No. 82-488, is hereby amended as shown on the amended Exhibit "E-2" entitled "City of Modesto Schedule of Salary Ranges in City Service for the Fiscal Year 1982-83", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "E-2" deletes the classification of Director of Public Works and City Engineer, and adds the classifications of Deputy City Manager, Director of Engineering Services, and Director of Utility Services.

SECTION 2. AMENDMENT TO EXHIBIT "G" OF RESOLUTION NO. 82-488. Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1982-83", attached to Resolution No. 82-488, is hereby amended as shown on the amended Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1982-83", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "G" deletes the classifications of Director of Public Works and City Engineer, Range N/A, and Assistant Director of Public Works, Range 436.0, and adds the classifications of Deputy City Manager, Range N/A, Director of Engineering Services, Range N/A, and Director of Utility Services, Range N/A.

SECTION 3. EFFECTIVE DATE. This resolution shall be effective on and after March 26, 1983.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 8th day of March, 1983, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

Schedule E-2
Unclassified Management and
Council Appointees

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR THE FY 82-83
Effective March 28, 1983

| | Rate | A | B | C | D | E |
|---|---|---|---|---|---|---|
| **Council Appointed** | | | | | | |
| City Manager | Hourly | | | | | 30.1838 |
| | Biweekly | | | | | 2,414.70 |
| | Monthly | | | | | 5,249.80 |
| City Attorney | Hourly | | | | | 25.6787 |
| | Biweekly | | | | | 2,054.30 |
| | Monthly | | | | | 4,466.25 |
| City Clerk and Auditor | Hourly | 14.0949 | 14.7998 | 15.5397 | 16.3167 | 17.1326 |
| | Biweekly | 1,127.59 | 1,183.98 | 1,243.18 | 1,305.34 | 1,370.61 |
| | Monthly | 2,451.49 | 2,574.09 | 2,702.80 | 2,837.94 | 2,979.84 |
| **Unclassified Management** | | | | | | |
| Deputy City Manager | Hourly | 21.1259 | 22.1822 | 23.2919 | 24.4559 | 25.6787 |
| | Biweekly | 1,690.07 | 1,774.58 | 1,863.31 | 1,956.47 | 2,054.30 |
| | Monthly | 3,674.38 | 3,858.11 | 4,051.02 | 4,253.56 | 4,466.25 |
| Director of Engineering Services | Hourly | 17.9012 | 18.7962 | 19.7359 | 20.7228 | 21.7590 |
| | Biweekly | 1,432.10 | 1,503.70 | 1,578.87 | 1,657.82 | 1,740.72 |
| | Monthly | 3,113.53 | 3,269.19 | 3,432.62 | 3,604.27 | 3,784.50 |
| Director of Finance | Hourly | 17.9012 | 18.7962 | 19.7359 | 20.7228 | 21.7590 |
| | Biweekly | 1,432.10 | 1,503.70 | 1,578.87 | 1,657.82 | 1,740.72 |
| | Monthly | 3,113.53 | 3,269.19 | 3,432.62 | 3,604.27 | 3,784.50 |
| Director of Management Services | Hourly | 17.9012 | 18.7962 | 19.7359 | 20.7228 | 21.7590 |
| | Biweekly | 1,432.10 | 1,503.70 | 1,578.87 | 1,657.82 | 1,740.72 |
| | Monthly | 3,113.53 | 3,269.19 | 3,432.62 | 3,604.27 | 3,784.50 |
| Director of Parking and Traffic | Hourly | 17.9012 | 18.7962 | 19.7359 | 20.7228 | 21.7590 |
| | Biweekly | 1,432.10 | 1,503.70 | 1,578.87 | 1,657.82 | 1,740.72 |
| | Monthly | 3,113.53 | 3,269.19 | 3,432.62 | 3,604.27 | 3,784.50 |

Exhibit "E-2"

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SCHEDULE E-2 - Page 2
Unclassified Management and
Council Appointees
Salary Ranges Effective March 28, 1983

| | Rate | A | B | C | D | E |
|---|---|---|---|---|---|---|
| Unclassified Management (Cont'd.) | | | | | | |
| Director of Parks and Recreation | Hourly | 18.3500 | 19.2675 | 20.2308 | 21.2423 | 22.3044 |
| | Biweekly | 1,468.00 | 1,541.40 | 1,618.46 | 1,699.38 | 1,784.35 |
| | Monthly | 3,191.58 | 3,351.16 | 3,518.69 | 3,694.62 | 3,879.36 |
| Director of Planning and Community Development | Hourly | 17.9012 | 18.7962 | 19.7359 | 20.7228 | 21.7590 |
| | Biweekly | 1,432.10 | 1,503.70 | 1,578.87 | 1,657.82 | 1,740.72 |
| | Monthly | 3,113.53 | 3,269.19 | 3,432.62 | 3,604.27 | 3,784.50 |
| Director of Utility Services | Hourly | 17.9012 | 18.7962 | 19.7359 | 20.7228 | 21.7590 |
| | Biweekly | 1,432.10 | 1,503.70 | 1,578.87 | 1,657.82 | 1,740.72 |
| | Monthly | 3,113.53 | 3,269.09 | 3,432.62 | 3,604.27 | 3,784.50 |
| Fire Chief | Hourly | 17.9012 | 18.7962 | 19.7359 | 20.7228 | 21.7590 |
| | Biweekly | 1,432.10 | 1,503.70 | 1,578.87 | 1,657.82 | 1,740.72 |
| | Monthly | 3,113.53 | 3,269.09 | 3,432.62 | 3,604.27 | 3,784.50 |
| Chief of Police | Hourly | 20.8493 | 21.8918 | 22.9864 | 24.1357 | 25.3425 |
| | Biweekly | 1,667.94 | 1,751.34 | 1,838.91 | 1,930.86 | 2,027.40 |
| | Monthly | 3,626.27 | 3,807.59 | 3,997.97 | 4,197.88 | 4,407.77 |

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1982-83
(Effective 6-29-82, Amended 8-24-82, 12-28-82, 2-8-83, 3-8-83)

| Range No. | Title of Classification |
|---|---|
| 114.5 | Account Clerk |
| 122.0 | Accountant I |
| 426.0 | Accountant II |
| 119.5 | Accounting Technician |
| 123.0 | Accounts Examiner |
| 426.0 | Administrative Analyst |
| 422.0 | Administrative Assistant |
| 429.0 | Airport Manager |
| 424.5 | Airport Maintenance Supervisor |
| 116.5 | Animal Control Officer I |
| 118.5 | Animal Control Officer II |
| 426.5 | Arborist |
| 633.0 | Assistant Chief of Police |
| 432.0 | Assistant City Attorney I |
| 435.0 | Assistant City Attorney II |
| 421.5 | Assistant City Clerk |
| 429.0 | Assistant Civil Engineer |
| 433.0 | Assistant Director of Parks & Recreation |
| 122.5 | Assistant Electrician |
| 426.0 | Assistant Planner |
| 428.0 | Assistant Property Agent |
| 427.0 | Assistant Risk Manager |
| 426.0 | Assistant Shop Supervisor |
| 432.0 | Associate Civil Engineer |
| 429.0 | Associate Planner |
| 426.0 | Budget Accountant |
| 122.0 | Building Inspector I |
| 125.0 | Building Inspector II |
| 426.5 | Building Maintenance Supervisor |
| 120.5 | Building Maintenance Worker |

| Range No. | Title of Classification |
|---|---|
| 434.0 | Chief Building Official |
| 429.0 | Chief Electrician |
| N/A | Chief of Police |
| 426.5 | Chief of Survey Party |
| N/A | City Attorney |
| N/A | City Clerk and Auditor |
| N/A | City Manager |
| 117.5 | Civil Engineering Technician I |
| 120.5 | Civil Engineering Technician II |
| 123.5 | Civil Engineering Technician III |
| 126.5 | Civil Engineering Technician IV |
| 113.5 | Clerk Typist |
| 713.6 | Clerk Typist (Y Rate) |
| 413.5 | Clerk Typist (Confidential) |
| 124.0 | Coach Mechanic |
| 122.0 | Code Enforcement Specialist |
| 422.0 | Collections Supervisor |
| 120.5 | Community Service Officer |
| 116.5 | Computer Operator |
| 125.0 | Construction Inspector |
| 427.0 | Cost Analyst |
| 123.0 | Crime Analyst |
| 114.5 | Data Entry Operator |
| 429.0 | Data Processing Manager |
| 427.0 | Deputy City Attorney I |
| 429.0 | Deputy City Attorney II |
| N/A | Deputy City Manager |
| 312.0 | Detective |
| N/A | Director of Engineering Services |
| N/A | Director of Finance |
| N/A | Director of Management Services |
| N/A | Director of Parking and Traffic |
| N/A | Director of Parks and Recreation |
| N/A | Director of Planning and Community Development |
| N/A | Director of Utility Services |
| 117.5 | Drafting Technician |

| Range No. | Title of Classification |
|---|---|
| 426.5 | Electrical Supervisor |
| 118.5 | Electrical Technician I |
| 120.5 | Electrical Technician II |
| 124.5 | Electrician |
| 127.0 | Engineering Computer Programmer |
| 122.5 | Equipment Crew Leader |
| 122.0 | Equipment Mechanic |
| 120.5 | Equipment Operator |
| 119.0 | Equipment Service Worker |
| 118.5 | Evidence and Property Specialist |
| 419.5 | Executive Secretary |
| 430.0 | Finance Division Manager |
| 529.0 | Fire Battalion Chief |
| N/A | Fire Chief |
| 211.0 | Fire Engineer |
| 123.0 | Fire Equipment Mechanic |
| 210.0 | Fire Fighter |
| 208.0 | Fire Fighter Trainee |
| 213.0 | Fire Lieutenant |
| 120.5 | Fire Prevention Technician |
| 120.5 | Housing Conservationist |
| 122.0 | Housing Financial Specialist |
| 432.0 | Housing Program Officer |
| 122.0 | Housing Rehabilitation Specialist I |
| 125.0 | Housing Rehabilitation Specialist II |
| 122.0 | Industrial Waste Inspector I |
| 125.0 | Industrial Waste Inspector II |
| 116.5 | Janitor |
| 122.5 | Janitor Supervisor |
| 126.0 | Junior Civil Engineer |
| 122.5 | Laboratory Technician |
| 113.5 | Laborer (Unclassified) |
| 426.0 | Landscape Designer |
| 126.0 | Lead Coach Mechanic |
| 124.0 | Lead Equipment Mechanic |
| 417.5 | Legal Secretary |
| 120.5 | Maintenance Mechanic |
| 120.5 | Maintenance Mechanic - Pumps |
| 116.5 | Maintenance Worker I |
| 118.5 | Maintenance Worker II |
| 718.5 | Maintenance Worker II (Y Rate) |
| 113.5 | Maintenance Worker Trainee |
| 429.0 | Management Assistant |
| 120.5 | Meter Reader Repair Worker |
| 112.5 | Microfilm & Graphics Technician |
| 120.5 | Motor Sweeper Operator |
| 424.0 | Museum Supervisor |
| 122.5 | Nursery Propagator |
| 109.5 | Office Aide |
| 111.5 | Office Clerk |
| 411.5 | Office Clerk (Confidential) |
| 122.5 | Office Services Supervisor |
| 122.5 | Parking and Traffic Crew Leader |
| 429.0 | Parking and Traffic Superintendent |
| 120.5 | Parking Meter Worker |
| 120.5 | Parks Crew Leader |
| 720.5 | Parks Crew Leader (Y Rate) |
| 424.5 | Parks Maintenance Supervisor I |
| 426.5 | Parks Maintenance Supervisor II |
| 429.0 | Parks Superintendent |
| 432.0 | Personnel Manager |
| 421.5 | Personnel Technician |
| 126.5 | Plan Review Engineer |
| 426.5 | Plan Review Engineer (MGT Benefits) |
| 117.5 | Planning Technician I |
| 120.5 | Planning Technician II |
| 123.5 | Planning Technician III |
| 122.5 | Plant Mechanic |
| 424.5 | Plant Mechanical Maintenance Supervisor |
| 632.0 | Police Captain |
| 113.5 | Police Clerk |
| 630.0 | Police Lieutenant |

| Range No. | Title of Classification |
|---|---|
| 308.0 | Police Officer (Trainee Step) |
| 310.0 | Police Officer |
| 425.0 | Police Records Supervisor |
| 628.0 | Police Sergeant |
| 115.5 | Printing Services Operator |
| 113.5 | Printing Services Trainee |
| 123.0 | Programmer |
| 126.0 | Programmer Analyst |
| 426.0 | Programmer Analyst (MGT Benefits) |
| 430.0 | Property Agent |
| 116.5 | Property Control Aide |
| 124.0 | Public Services Inspector |
| 427.0 | Public Services Officer |
| 120.5 | Public Works Line Worker |
| 424.5 | Public Works Supervisor I |
| 426.5 | Public Works Supervisor II |
| 122.0 | Purchasing Assistant I |
| 124.0 | Purchasing Assistant II |
| 430.0 | Purchasing Officer |
| 112.5 | Receptionist |
| 712.6 | Receptionist (Y Rate) |
| 429.0 | Recreation Superintendent |
| 426.0 | Recreation Supervisor |
| 430.0 | Risk Manager |
| 417.5 | Risk Management Technician |
| 117.5 | Secretary |
| 417.5 | Secretary (Confidential) |
| 421.5 | Secretary to the City Attorney |
| 422.5 | Secretary to the City Manager |
| 116.5 | Senior Account Clerk |
| 428.0 | Senior Accountant |
| 126.5 | Senior Building Inspector |
| 119.5 | Senior Computer Operator |
| 419.5 | Senior Legal Secretary |
| 115.5 | Senior Microfilm & Graphics Technician |
| 416.5 | Senior Personnel Clerk |
| 423.5 | Senior Personnel Technician |
| 432.0 | Senior Planner |
| 115.5 | Senior Police Clerk |
| 118.5 | Senior Printing Services Operator |
| 120.5 | Senior Storeskeeper |
| 122.5 | Senior Wastewater Treatment Plant Operator |
| 116.5 | Senior Word Processing Technician |
| 429.0 | Shop Supervisor |
| 123.5 | Social Services Coordinator |
| 423.5 | Social Services Coordinator (MGT Benefits) |
| 114.5 | Stenographer Clerk |
| 118.5 | Storeskeeper |
| 428.5 | Supervising Building Inspector |
| 428.0 | Supervising Construction Inspector |
| 428.0 | Supervising Housing Rehabilitation Specialist |
| 429.0 | Transit Manager |
| 120.5 | Tree Trimmer |
| 122.5 | Tree Trimmer Crew Leader |
| 424.5 | Warehouse Supervisor |
| 118.5 | Wastewater Treatment Plant Attendant |
| 120.5 | Wastewater Treatment Plant Operator |
| 426.5 | Wastewater Treatment Plant Supervisor |
| 432.0 | Water Quality Control Superintendent |
| 125.0 | Water System Inspector |
| 419.5 | Word Processing Supervisor |
| 114.5 | Word Processing Technician |
| 113.5 | Word Processing Trainee |
| 425.0 | Zoning Inspector |

Totals: 12 City Manager, Department Heads
179 Other
191

MODESTO CITY COUNCIL
RESOLUTION NO. 83-133

A RESOLUTION APPOINTING ROSS CAMPBELL CITY MANAGER PRO TEMPORE DURING ABSENCE OR DISABILITY OF THE CITY MANAGER AND APPOINTING ELWYN L. JOHNSON CITY MANAGER PRO TEMPORE DURING THE ABSENCE OR DISABILITY OF BOTH THE CITY MANAGER AND DEPUTY CITY MANAGER, AND RESCINDING RESOLUTION NO. 75-765.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Ross Campbell, Deputy City Manager, be and he is hereby appointed City Manager Pro Tempore during the absence or disability of the City Manager.

BE IT FURTHER RESOLVED that Elwyn L. Johnson, City Attorney, be and he is hereby appointed City Manager Pro Tempore during the absence or disability of both the City Manager and Deputy City Manager.

BE IT FURTHER RESOLVED that this resolution shall be effective on and after March 26, 1983.

BE IT FURTHER RESOLVED that Resolution No. 75-765, adopted by the Council on July 21, 1975, be and it is hereby rescinded effective March 26, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1983, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-134

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE - OUTDOOR DISPLAY AND SALES IN COMMERCIAL ZONES

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** April 5, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an amendment to the Zoning Ordinance - outdoor display and sales in commercial zones.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** March **, 19** 83 **, by Councilmember** Bright **, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Patterson |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-135

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE - MOTOR VEHICLE FUEL PRICE SIGNS (DISCOUNTS FOR CASH)

**BE IT HEREBY RESOLVED by the Council of the City of Modesto** that April 5, 1983 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an amendment to the Zoning Ordinance - motor vehicle fuel price signs (discounts for cash).

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** March, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Patterson |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 136

A RESOLUTION OF THE CITY OF MODESTO DECLARING CANVASS OF RETURNS AND RESULTS OF REGULAR MUNICIPAL ELECTION HELD ON TUESDAY, MARCH 8, 1983.

WHEREAS, on Tuesday, the 8th day of March, 1983, a Regular Municipal Election was held in the City of Modesto and in the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County, to elect a Mayor for an extended term of four years and eight months; one Councilmember (Chair No. 1) for an extended term of four years and eight months; one Councilmember (Chair No. 6) for an extended term of four years and eight months; and three members of the Board of Education of said school districts for extended terms of four years and eight months each, and

WHEREAS, said Regular Municipal Election was held on Tuesday, March 8, 1983, in accordance with law and the votes thereafter received and canvassed, and the returns thereof ascertained, determined, and declared in all respects as required by law, and

WHEREAS, the City Clerk has canvassed the returns of said election in accordance with law, and has certified the results of the election to the Council by a Certificate of Canvass and Statement of Votes dated March 11, 1983.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. Said canvass by the City Clerk as shown on said Certificate of Canvass and Statement of Votes and the results of the election are hereby ratified, confirmed and approved.

2. Attached, marked Exhibit "A" and, by reference, made a part hereof is a copy of said Certificate of Canvass and Statement of Votes showing a complete tabulation of the following:

(a) The whole number of votes cast.

(b) The names of the persons voted for.

(c) For what office each person was voted for.

(d) The number of votes given at each precinct to each person.

(e) The total number of votes given to each person.

3. At said Regular Municipal Election the following named persons received the largest number of votes for the following offices, respectively, and were therefore duly elected to the respective offices for which they were respectively candidates, and each of said persons having received the largest number of votes cast for any person for such office is hereby declared to be duly and regularly elected to such office respectively, and the City Clerk is hereby directed to issue a Certificate of Election to each of said persons, certifying his/her election to the office appearing after his/her name, and to administer to each of said persons the oath of office prescribed by the Constitution and laws of the State of California, and the Charter of said City, to wit:

| | |
|---|---|
| Peggy Mensinger | Mayor for an extended term of four years and eight months |
| John C. Sutton | Councilmember for an extended term of four years and eight months, Chair No. 1 |
| Carol G. Whiteside | Councilmember for an extended term of four years and eight months, Chair No. 6 |
| Steven Greenbeaux | Member, Board of Education, for an extended term of four years and eight months |
| Larry Jaffa | Member, Board of Education, for an extended term of four years and eight months |
| Daniel G. Wood | Member, Board of Education, for an extended term of four years and eight months |

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of March, 1983, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CERTIFICATE OF CANVASS
AND STATEMENT OF VOTE

CITY OF MODESTO REGULAR MUNICIPAL ELECTION

March 8, 1983

I, NORRINE COYLE, CITY CLERK OF THE CITY OF MODESTO, DO HEREBY CERTIFY THAT I CAUSED THE STANISLAUS COUNTY CLERK'S OFFICE ON MARCH 9, 1983, TO PUBLICLY CANVASS THE RETURNS OF THE CITY OF MODESTO REGULAR MUNICIPAL ELECTION HELD ON MARCH 8, 1983, IN ACCORDANCE WITH MODESTO CITY COUNCIL RESOLUTION NO. 67-36, AND THAT THE ATTACHED IS THE RESULT OF SAID ELECTION.

NORRINE COYLE
City Clerk
City of Modesto

March 15, 1983

EXHIBIT A

CERTIFICATE OF CANVASS

AND STATEMENT OF RESULTS

FOR A

REGULAR MUNICIPAL ELECTION

AND GOVERNING BOARD MEMBER ELECTION

HELD IN

CITY OF MODESTO

AND

MODESTO HIGH SCHOOL DISTRICT

ON

MARCH 8, 1983

I, DAVID A. WURM, County Clerk of the County of Stanislaus, State of California, do hereby certify that, pursuant to Section 23553 of the California Elections Code, I did, on March 11, 1983, publicly canvass in my office the returns of the election held on March 8, 1983, within the exterior boundaries of the City of Modesto, and the Modesto High School District, and do hereby declare the results thereof as follows:

The number of votes for each candidate was as shown on the within statement.

March 11, 1983

DAVID A. WURM, County Clerk

By Patrick L O'Sullivan
Patrick L. O'Sullivan
Supervisor of Elections

| | TOTAL VOTES CAST | Junior C. BUSBY | Peggy MENSINGER | David M. JOHNSON | Raymond A. BROWN | Larry SASAHIMA | John C. SUTTON | Frank T. MURATORE | Leo MUTH | Richard LITTLE | Carol G. WHITESIDE | Lucille BOURBEAU | Richard SHAFFER |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Modesto 1 | 114 | 16 | 91 | 18 | 11 | 19 | 59 | 67 | 38 | 14 | 40 | 25 | 34 |
| Modesto 2 | 105 | 11 | 85 | 6 | 7 | 22 | 56 | 63 | 30 | 12 | 40 | 34 | 13 |
| Modesto 3 | 4 | | 3 | | 3 | | 1 | 3 | 1 | | 3 | 1 | |
| Modesto 5 | 112 | 16 | 90 | 15 | 10 | 15 | 62 | 61 | 32 | 19 | 33 | 20 | 27 |
| Modesto 6 | 94 | 7 | 75 | 6 | 12 | 18 | 38 | 44 | 36 | 11 | 30 | 21 | 16 |
| Modesto 8 | 149 | 22 | 112 | 12 | 22 | 20 | 74 | 72 | 56 | 27 | 48 | 38 | 20 |
| Modesto 13 | 162 | 7 | 148 | 17 | 10 | 20 | 107 | 110 | 39 | 25 | 61 | 28 | 39 |
| Modesto 14 | 135 | 16 | 115 | 20 | 18 | 26 | 63 | 83 | 43 | 21 | 39 | 28 | 39 |
| Modesto 15 | 131 | 15 | 108 | 19 | 11 | 25 | 60 | 90 | 30 | 24 | 43 | 37 | 22 |
| Modesto 16 | 55 | 10 | 43 | 11 | 1 | 16 | 24 | 38 | 14 | 9 | 21 | 14 | 9 |
| Modesto 17 | 107 | 8 | 97 | 16 | 14 | 25 | 46 | 66 | 33 | 22 | 43 | 18 | 20 |
| Modesto 19 | 185 | 21 | 148 | 21 | 7 | 16 | 132 | 128 | 37 | 11 | 74 | 34 | 51 |
| Modesto 20 | 100 | 23 | 69 | 15 | 10 | 10 | 61 | 59 | 33 | 12 | 36 | 20 | 25 |
| Modesto 21 | 174 | 15 | 147 | 16 | 10 | 23 | 112 | 120 | 36 | 16 | 79 | 25 | 43 |
| Modesto 22 | 216 | 10 | 194 | 8 | 12 | 28 | 161 | 156 | 45 | 20 | 115 | 18 | 60 |
| Modesto 23 | 40 | 12 | 26 | 9 | 9 | 3 | 10 | 24 | 9 | 7 | 10 | 16 | 7 |
| Modesto 25 | 119 | 15 | 96 | 7 | 12 | 19 | 67 | 66 | 37 | 12 | 35 | 19 | 40 |
| Modesto 26 | 93 | 14 | 71 | 16 | 5 | 13 | 42 | 48 | 20 | 15 | 35 | 19 | 16 |
| Modesto 27 | 182 | 15 | 162 | 8 | 6 | 23 | 128 | 119 | 46 | 20 | 101 | 23 | 28 |
| Modesto 28 | 142 | 10 | 126 | 14 | 4 | 12 | 110 | 96 | 38 | 12 | 50 | 26 | 48 |
| Modesto 30 | 130 | 8 | 111 | 11 | 3 | 23 | 81 | 84 | 32 | 11 | 53 | 12 | 46 |
| Modesto 31 | 104 | 16 | 85 | 11 | 5 | 16 | 68 | 65 | 35 | 21 | 42 | 14 | 21 |
| Modesto 32 | 185 | 13 | 165 | 16 | 7 | 36 | 121 | 127 | 49 | 14 | 94 | 26 | 41 |
| Modesto 33 | 176 | 12 | 153 | 7 | 5 | 12 | 147 | 144 | 24 | 11 | 85 | 22 | 47 |
| Modesto 34 | 208 | 12 | 190 | 10 | 6 | 21 | 161 | 146 | 47 | 15 | 101 | 33 | 50 |
| Modesto 35 | 221 | 6 | 200 | 8 | 4 | 32 | 173 | 165 | 44 | 9 | 117 | 31 | 53 |
| Modesto 36 | 197 | 12 | 176 | 8 | 4 | 18 | 163 | 147 | 36 | 26 | 92 | 23 | 48 |
| Modesto 37 | 208 | 19 | 185 | 8 | 3 | 23 | 171 | 153 | 45 | 21 | 73 | 31 | 73 |
| Modesto 38 | 149 | 10 | 128 | 11 | 3 | 16 | 109 | 100 | 33 | 20 | 63 | 20 | 36 |
| Modesto 39 | 179 | 14 | 149 | 9 | 9 | 22 | 135 | 104 | 64 | 24 | 73 | 28 | 45 |
| Modesto 42 | 333 | 20 | 296 | 19 | 3 | 37 | 262 | 250 | 61 | 34 | 166 | 40 | 83 |
| Modesto 45 | 145 | 9 | 132 | 15 | 6 | 23 | 92 | 82 | 54 | 18 | 62 | 25 | 34 |
| Modesto 47 | 279 | 13 | 237 | 20 | 6 | 37 | 193 | 185 | 66 | 18 | 117 | 32 | 96 |
| Modesto 48 | 221 | 18 | 194 | 20 | 4 | 39 | 143 | 149 | 52 | 22 | 92 | 48 | 49 |
| Modesto 49 | | | | | | | | | | | | | |
| Modesto 52 | 157 | 9 | 138 | 12 | 4 | 10 | 121 | 122 | 22 | 14 | 75 | 19 | 38 |
| Modesto 53 | 129 | 11 | 112 | 11 | 9 | 10 | 92 | 92 | 23 | 18 | 44 | 23 | 34 |
| Modesto 56 | 301 | 15 | 265 | 22 | 8 | 36 | 230 | 223 | 69 | 30 | 110 | 57 | 93 |
| Modesto 59 | 170 | 10 | 152 | 11 | 3 | 28 | 119 | 119 | 39 | 17 | 78 | 23 | 47 |
| Modesto 60 | 164 | 9 | 148 | 16 | 7 | 29 | 97 | 118 | 33 | 27 | 63 | 30 | 28 |

FORM 142-B

| | TOTAL VOTES CAST | Junior C. BUSBY | Peggy MENSINGER | David M. JOHNSON | Raymond A. BROWN | Larry SASASHIMA | John C. SUTTON | Frank T. MURATORE | Leo MUTH | Richard LITTLE | Carol G. WHITESIDE | Lucille BOURBEAU | Richard |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Modesto 61 | 97 | 7 | 77 | 3 | 13 | 9 | 53 | 59 | 21 | 9 | 25 | 15 | 3 |
| Modesto 62 | 11 | 4 | 7 | | | 2 | 7 | 7 | 1 | 1 | 6 | 1 | |
| Modesto 65 | 130 | 27 | 92 | 15 | 5 | 10 | 91 | 69 | 52 | 22 | 52 | 19 | 2 |
| Modesto 66 | 87 | 2 | 81 | 5 | 1 | 12 | 60 | 56 | 21 | 12 | 28 | 15 | 2 |
| Modesto 70 | 216 | 20 | 181 | 25 | 9 | 29 | 142 | 141 | 51 | 35 | 90 | 16 | 5 |
| Modesto 73 | 6 | 2 | 4 | | 3 | | 3 | | 6 | 2 | 1 | 2 | |
| Modesto 75 | 130 | 12 | 116 | 14 | 4 | 36 | 72 | 88 | 35 | 23 | 41 | 29 | 34 |
| Modesto 81 | 170 | 13 | 144 | 18 | 8 | 22 | 112 | 117 | 37 | 22 | 68 | 30 | 40 |
| Modesto 83 | 74 | 4 | 67 | 5 | 4 | 17 | 36 | 47 | 19 | 5 | 25 | 13 | 26 |
| Modesto 84 | 71 | 6 | 62 | 6 | 3 | 18 | 40 | 48 | 13 | 11 | 25 | 9 | 21 |
| Modesto 87 | | | | | | | | | | | | | |
| Modesto 88 | 7 | | 7 | | 1 | 2 | 4 | 2 | 5 | | 2 | 3 | 2 |
| Modesto 91 | 180 | 8 | 121 | 16 | 2 | 28 | 75 | 88 | 35 | 14 | 47 | 12 | 52 |
| Modesto 92 | 8 | | 8 | | | 1 | 6 | 6 | 2 | | 4 | 2 | 2 |
| Modesto 93 | 132 | 9 | 118 | 13 | 7 | 18 | 89 | 93 | 33 | 17 | 56 | 18 | 37 |
| Modesto 94 | 159 | 7 | 143 | 26 | 6 | 19 | 101 | 125 | 27 | 10 | 79 | 23 | 43 |
| Modesto 98 | 80 | 7 | 68 | 13 | 5 | 15 | 36 | 47 | 24 | 16 | 34 | 7 | 16 |
| Modesto 100 | 95 | 2 | 87 | 14 | 5 | 16 | 54 | 59 | 23 | 9 | 30 | 29 | 20 |
| Modesto 101 | 107 | 13 | 88 | 14 | 5 | 22 | 55 | 75 | 25 | 15 | 40 | 30 | 16 |
| Modesto 103 | 127 | 10 | 105 | 24 | 17 | 15 | 58 | 60 | 53 | 61 | 29 | 14 | 20 |
| Modesto 105 | 71 | 8 | 61 | 14 | 7 | 16 | 31 | 47 | 20 | 17 | 31 | 4 | 15 |
| Special 101 | 86 | 15 | 64 | 13 | 9 | 9 | 42 | 41 | 31 | 13 | 22 | 26 | 17 |
| Special 102 | 234 | 15 | 210 | 17 | 11 | 35 | 165 | 142 | 78 | 40 | 76 | 40 | 63 |
| Special 103 | 124 | 11 | 107 | 10 | 8 | 20 | 80 | 78 | 37 | 17 | 30 | 26 | 43 |
| Special 104 | 157 | 10 | 135 | 22 | 10 | 27 | 88 | 106 | 40 | 25 | 50 | 24 | 50 |
| Special 105 | 189 | 2 | 181 | 10 | 7 | 28 | 136 | 112 | 58 | 43 | 69 | 32 | 40 |
| Special 106 | 211 | 25 | 175 | 18 | 15 | 28 | 133 | 130 | 53 | 21 | 85 | 15 | 74 |
| Special 107 | 173 | 13 | 116 | 12 | 10 | 18 | 80 | 89 | 27 | 21 | 55 | 14 | 30 |
| Special 108 | 210 | 21 | 186 | 22 | 9 | 24 | 141 | 135 | 59 | 38 | 85 | 42 | 33 |
| Special 109 | 180 | 19 | 150 | 18 | 14 | 16 | 115 | 128 | 37 | 36 | 51 | 40 | 45 |
| Special 110 | 296 | 16 | 263 | 16 | 4 | 46 | 216 | 208 | 71 | 19 | 131 | 53 | 84 |
| Special 111 | 156 | 15 | 133 | 24 | 12 | 30 | 70 | 101 | 42 | 21 | 56 | 28 | 43 |
| Special 112 | 104 | 17 | 82 | 16 | 17 | 20 | 46 | 56 | 41 | 37 | 26 | 16 | 20 |
| Special 113 | 177 | 14 | 154 | 25 | 18 | 21 | 101 | 130 | 36 | 26 | 63 | 14 | 63 |
| Special 114 | 148 | 18 | 121 | 25 | 15 | 28 | 69 | 95 | 42 | 19 | 44 | 18 | 58 |
| Special 115 | 107 | 12 | 91 | 19 | 9 | 18 | 52 | 77 | 22 | 18 | 31 | 21 | 29 |
| Special 116 | 120 | 17 | 99 | 15 | 11 | 18 | 72 | 77 | 34 | 19 | 42 | 12 | 45 |
| Absentee Vote | 703 | 61 | 603 | 69 | 44 | 85 | 464 | 491 | 163 | 125 | 291 | 125 | 129 |
| Total | 11408 | 961 | 9729 | 1075 | 621 | 1599 | 7286 | 7518 | 2855 | 1518 | 4456 | 1838 | 2862 |

FORM 143-B

| | TOTAL VOTES CAST | John David EBERLE | Larry JAFFA | Mona DAVIS | Marianne KLINK | Helen WHITE | Daniel G. WOOD | Steven GRENBEAUX | Curtis A. TANKERSLEY | R. Drew BALCH | Margaret E. SNYDER | William STREISSGUTH | Phillip G. MARTIN | Daniel E. MARSH, Jr. | Jerry MATSUNAGA | Larry D McCORMICK |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Airport 2 | 27 | 3 | 8 | 6 | 9 | 5 | 8 | 7 | 5 | 3 | 4 | 7 | 1 | 3 | 5 | 7 |
| Caswell 1 | 3 | | | | | | | | 3 | 3 | | | | | | 3 |
| Caswell 6 | 40 | 11 | 7 | 10 | 13 | 7 | 8 | 13 | 9 | 10 | 7 | 7 | 4 | 2 | 4 | 7 |
| Caswell 7 | 27 | 3 | 7 | 6 | 10 | 5 | 6 | 14 | 3 | 4 | 7 | 3 | 2 | 3 | 1 | 5 |
| Ceres 11 | 17 | 1 | 1 | 2 | 7 | 2 | 2 | 3 | 6 | 3 | 2 | 7 | 3 | | 1 | 4 |
| Coffee 1 | 12 | 2 | 6 | 1 | 3 | | 7 | 8 | | | | 3 | 1 | 2 | | 2 |
| Coffee 2 | 65 | 7 | 30 | 6 | 25 | 2 | 25 | 25 | 12 | 3 | 3 | 5 | 6 | 2 | 2 | 20 |
| Coffee 4 | | | | | | | | | | | | | | | | |
| Coffee 7 | 67 | | 23 | 4 | 18 | 8 | 26 | 35 | 3 | 1 | 13 | 10 | 11 | 1 | 1 | 19 |
| Coffee 9 | | | | | | | | | | | | | | | | |
| Empire 1 | 29 | 4 | 6 | 2 | 9 | 8 | 6 | 16 | 5 | 1 | 4 | 5 | 5 | 4 | 4 | 6 |
| Empire 3 | 46 | 3 | 16 | 8 | 18 | 4 | 10 | 29 | 3 | 2 | 7 | 9 | 5 | 4 | 3 | 7 |
| Empire 4 | 53 | 6 | 14 | 3 | 12 | 10 | 16 | 33 | 11 | 6 | 6 | 18 | 2 | 4 | | 12 |
| Empire 5 | 94 | 3 | 28 | 10 | 29 | 4 | 30 | 39 | 15 | 12 | 8 | 21 | 18 | 3 | 3 | 24 |
| Empire 6 | 26 | 1 | 7 | 2 | 9 | 2 | 7 | 11 | 2 | 2 | 3 | 9 | 2 | | 1 | 8 |
| Empire 7 | 5 | 1 | 3 | | 1 | 1 | 1 | 3 | | 2 | | 2 | | | | 1 |
| Hart Ransom 1 | 112 | 6 | 32 | 10 | 71 | 7 | 26 | 45 | 17 | 3 | 14 | 14 | 13 | 2 | 5 | 28 |
| Hart Ransom 2 | 95 | 3 | 22 | 2 | 52 | 7 | 21 | 49 | 12 | 6 | 6 | 23 | 20 | 1 | 6 | 19 |
| Mc Henry 1 | 182 | 7 | 90 | 14 | 35 | 24 | 44 | 78 | 14 | 1 | 16 | 59 | 53 | 6 | 12 | 61 |
| Mc Henry 3 | 123 | 3 | 27 | 4 | 21 | 1 | 16 | 31 | 9 | 6 | 9 | 18 | 22 | 2 | 12 | 56 |
| Mc Henry 7 | 37 | 3 | 9 | | 11 | 2 | 10 | 16 | 5 | | 4 | 6 | 9 | 1 | 2 | 19 |
| Modesto 1 | 114 | 18 | 35 | 19 | 26 | 15 | 32 | 51 | 22 | 4 | 18 | 25 | 15 | 4 | 8 | 28 |
| Modesto 2 | 105 | 7 | 48 | 7 | 24 | 9 | 28 | 44 | 10 | 1 | 21 | 19 | 23 | 4 | 7 | 18 |
| Modesto 3 | 4 | 1 | 1 | | | 1 | | 3 | | | 2 | 2 | | 1 | | |
| Modesto 5 | 112 | 10 | 30 | 15 | 22 | 35 | 27 | 39 | 14 | 10 | 21 | 22 | 7 | 2 | 6 | 16 |
| Modesto 6 | 94 | 6 | 23 | 7 | 4 | 44 | 17 | 34 | 7 | 4 | 9 | 20 | 9 | 5 | 7 | 15 |
| Modesto 8 | 149 | 12 | 43 | 13 | 28 | 51 | 34 | 59 | 21 | 12 | 17 | 28 | 14 | 6 | 13 | 21 |
| Modesto 13 | 162 | 19 | 54 | 13 | 37 | 23 | 32 | 89 | 21 | 4 | 16 | 47 | 23 | 9 | 12 | 42 |
| Modesto 14 | 135 | 17 | 58 | 15 | 24 | 26 | 45 | 59 | 23 | 6 | 19 | 31 | 22 | 9 | 9 | 22 |
| Modesto 15 | 131 | 7 | 51 | 15 | 28 | 19 | 40 | 68 | 16 | 5 | 18 | 28 | 18 | 7 | 10 | 32 |
| Modesto 16 | 55 | | 23 | 6 | 4 | 13 | 15 | 34 | 9 | 3 | 11 | 12 | 5 | 2 | 5 | 7 |
| Modesto 17 | 107 | 8 | 35 | 11 | 34 | 18 | 22 | 42 | 23 | 8 | 14 | 35 | 13 | 2 | 8 | 13 |
| Modesto 19 | 185 | 14 | 69 | 11 | 22 | 30 | 44 | 87 | 19 | 7 | 17 | 50 | 46 | 6 | 6 | 43 |
| Modesto 20 | 100 | 6 | 45 | 7 | 12 | 10 | 36 | 64 | 16 | 5 | 15 | 17 | 5 | 5 | 2 | 21 |
| Modesto 21 | 174 | 19 | 61 | 16 | 36 | 24 | 66 | 96 | 19 | 9 | 18 | 32 | 20 | 3 | 10 | 31 |
| Modesto 22 | 216 | 16 | 71 | 10 | 44 | 17 | 50 | 101 | 28 | 3 | 21 | 44 | 62 | 8 | 22 | 88 |
| Modesto 23 | 40 | 5 | 19 | 3 | 6 | 8 | 19 | 13 | 6 | 6 | 6 | 8 | 4 | 4 | 1 | 3 |
| Modesto 25 | 119 | 7 | 46 | 9 | 23 | 20 | 32 | 55 | 13 | 9 | 14 | 25 | 20 | 7 | 9 | 25 |
| Modesto 26 | 93 | 8 | 35 | 4 | 15 | 23 | 23 | 33 | 21 | 4 | 19 | 10 | 9 | 10 | 10 | 19 |

| | TOTAL VOTES CAST | John David EBERLE | Larry JAFFA | Mona DAVIS | Marianne KLINK | Helen WHITE | Daniel G. WOOD | Steven GRENBEAUX | Curtis A. TANKERSLEY | R. Drew BALCH | Margaret E. SNYDER | William STREISSGUTH | Phillip G. MARTIN | Daniel E. MARSH, Jr. | Jerry MATSUNAGA | Larry McCORMICK |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Modesto 27 | 182 | 12 | 74 | 15 | 44 | 29 | 49 | 100 | 14 | 6 | 30 | 35 | 42 | 4 | 9 | 39 |
| Modesto 28 | 142 | 13 | 72 | 13 | 24 | 18 | 47 | 86 | 21 | 5 | 11 | 24 | 19 | 4 | 11 | 28 |
| Modesto 30 | 130 | 1 | 52 | 10 | 15 | 17 | 47 | 66 | 20 | 5 | 21 | 24 | 29 | 3 | 15 | 28 |
| Modesto 31 | 104 | 5 | 48 | 9 | 25 | 19 | 27 | 54 | 13 | 3 | 13 | 17 | 16 | 3 | 12 | 25 |
| Modesto 32 | 185 | 11 | 71 | 12 | 51 | 25 | 59 | 86 | 21 | 8 | 27 | 38 | 40 | 5 | 11 | 38 |
| Modesto 33 | 176 | 14 | 63 | 12 | 27 | 26 | 65 | 96 | 14 | 5 | 23 | 18 | 46 | 4 | 15 | 47 |
| Modesto 34 | 208 | 16 | 67 | 10 | 49 | 23 | 89 | 107 | 20 | 1 | 24 | 25 | 57 | 4 | 9 | 60 |
| Modesto 35 | 221 | 5 | 83 | 24 | 54 | 28 | 68 | 121 | 16 | 4 | 30 | 50 | 34 | 3 | 12 | 64 |
| Modesto 36 | 197 | 14 | 49 | 12 | 39 | 21 | 49 | 88 | 14 | 6 | 26 | 41 | 56 | 8 | 8 | 76 |
| Modesto 37 | 208 | 7 | 94 | 22 | 43 | 27 | 70 | 122 | 19 | 4 | 24 | 30 | 41 | 4 | 8 | 54 |
| Modesto 38 | 149 | 4 | 40 | 9 | 36 | 18 | 29 | 70 | 24 | 3 | 33 | 34 | 34 | 4 | 13 | 39 |
| Modesto 39 | 179 | 18 | 64 | 18 | 22 | 25 | 48 | 100 | 22 | 6 | 23 | 46 | 28 | 8 | 12 | 44 |
| Modesto 42 | 333 | 19 | 111 | 7 | 62 | 46 | 85 | 169 | 35 | 10 | 49 | 77 | 85 | 10 | 21 | 110 |
| Modesto 45 | 145 | 10 | 59 | 13 | 15 | 20 | 51 | 80 | 19 | 7 | 28 | 25 | 23 | 4 | 13 | 27 |
| Modesto 47 | 279 | 18 | 99 | 17 | 65 | 20 | 104 | 138 | 38 | 3 | 18 | 41 | 47 | 9 | 20 | 106 |
| Modesto 48 | 221 | 10 | 64 | 11 | 31 | 26 | 44 | 109 | 28 | 4 | 30 | 55 | 95 | 10 | 12 | 76 |
| Modesto 49 | | | | | | | | | | | | | | | | |
| Modesto 52 | 157 | 10 | 39 | 13 | 30 | 26 | 26 | 73 | 23 | 1 | 18 | 39 | 43 | 2 | 6 | 57 |
| Modesto 53 | 129 | 11 | 48 | 8 | 17 | 22 | 36 | 69 | 20 | 6 | 28 | 31 | 19 | 2 | 7 | 31 |
| Modesto 56 | 301 | 33 | 125 | 11 | 67 | 38 | 84 | 132 | 45 | 9 | 46 | 66 | 56 | 13 | 19 | 83 |
| Modesto 59 | 170 | 6 | 63 | 19 | 37 | 18 | 59 | 97 | 17 | 3 | 20 | 35 | 33 | 4 | 8 | 47 |
| Modesto 60 | 164 | 15 | 81 | 17 | 22 | 29 | 40 | 84 | 27 | 2 | 31 | 45 | 21 | 7 | 11 | 23 |
| Modesto 61 | 97 | 5 | 33 | 5 | 12 | 9 | 29 | 52 | 15 | 3 | 7 | 26 | 15 | 7 | 4 | 15 |
| Modesto 62 | 11 | 2 | 2 | - | 2 | | 1 | 7 | 3 | 1 | | 4 | | | | 2 |
| Modesto 65 | 130 | 20 | 43 | 6 | 19 | 34 | 26 | 53 | 22 | 7 | 21 | 33 | 21 | 4 | 4 | 17 |
| Modesto 66 | 87 | 7 | 29 | 5 | 17 | 11 | 19 | 42 | 11 | 1 | 7 | 28 | 27 | 3 | 7 | 10 |
| Modesto 70 | 216 | 17 | 64 | 17 | 33 | 21 | 76 | 95 | 40 | 10 | 28 | 42 | 24 | 9 | 14 | 69 |
| Modesto 73 | 6 | | 2 | 2 | 1 | 1 | 1 | | 1 | 1 | 1 | 2 | | 2 | | 1 |
| Modesto 75 | 130 | 8 | 47 | 8 | 19 | 10 | 40 | 63 | 31 | 6 | 5 | 43 | 24 | 3 | 16 | 25 |
| Modesto 81 | 170 | 10 | 65 | 12 | 25 | 23 | 41 | 65 | 32 | 4 | 28 | 41 | 43 | 7 | 14 | 44 |
| Modesto 83 | 74 | 4 | 34 | 14 | 14 | 7 | 29 | 38 | 7 | 3 | 10 | 14 | 10 | 2 | 2 | 11 |
| Modesto 84 | 71 | 3 | 30 | 6 | 11 | 9 | 23 | 41 | 12 | 1 | 11 | 21 | 8 | 4 | 4 | 19 |
| Modesto 87 | | | | | | | | | | | | | | | | |
| Modesto 88 | 7 | 1 | 1 | | | | 1 | 6 | 3 | | | 6 | 2 | | | 1 |
| Modesto 91 | 180 | 15 | 50 | 12 | 33 | 15 | 45 | 56 | 22 | 1 | 13 | 30 | 33 | 2 | 21 | 44 |
| Modesto 92 | 8 | 1 | 4 | | 3 | | 2 | 4 | | 2 | 2 | | | | | 2 |
| Modesto 93 | 132 | 10 | 51 | 8 | 19 | 22 | 37 | 69 | 22 | 5 | 12 | 33 | 28 | 6 | 16 | 33 |
| Modesto 94 | 159 | 18 | 48 | 7 | 21 | 18 | 40 | 74 | 19 | 5 | 16 | 35 | 41 | 9 | 12 | 72 |
| Modesto 98 | 80 | 4 | 32 | 5 | 19 | 12 | 22 | 41 | 14 | 2 | 5 | 15 | 15 | 4 | 6 | 20 |

| | TOTAL VOTES CAST | John David EBERLE | Larry JAFFA | Mona DAVIS | Marianne KLINK | Helen WHITE | Daniel G. WOOD | Steven GRENBEAUX | Curtis A. TANKERSLEY | R. Drew BALCH | Margaret E. SNYDER | William STREISSGUTH | Phillip G. MARTIN | Daniel E. MARSH, Jr. | Jerry MATSUNAGA | Larry D. McCORMICK |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Modesto 100 | 95 | 6 | 38 | 13 | 16 | 12 | 35 | 55 | 18 | 2 | 10 | 14 | 11 | 7 | 7 | 20 |
| Modesto 101 | 107 | 1 | 37 | 14 | 26 | 13 | 27 | 50 | 13 | 6 | 12 | 24 | 14 | 9 | 9 | 23 |
| Modesto 103 | 127 | 6 | 39 | 35 | 22 | 22 | 30 | 54 | 20 | 6 | 13 | 29 | 9 | 3 | 6 | 17 |
| Modesto 105 | 71 | 7 | 28 | 5 | 12 | 11 | 13 | 25 | 13 | 5 | 10 | 19 | 13 | 7 | 6 | 15 |
| Page 1 | 27 | 6 | 11 | 4 | 5 | 6 | 6 | 12 | 5 | 4 | 1 | 3 | 3 | 2 | 2 | 2 |
| Paradise 1 | 35 | 3 | 8 | 1 | 21 | 7 | 3 | 8 | 5 | 4 | 2 | 8 | 2 | 3 | 2 | 10 |
| Paradise 4 | 60 | 3 | 30 | 10 | 22 | 7 | 22 | 33 | 8 | 3 | 5 | 7 | 4 | 2 | 6 | 10 |
| Paradise 7 | 56 | 6 | 25 | 8 | 11 | 15 | 19 | 30 | 5 | 2 | 11 | 9 | 6 | | 5 | 8 |
| Paradise 8 | 87 | 1 | 37 | 11 | 12 | 31 | 24 | 41 | 6 | 12 | 11 | 15 | 11 | 5 | 7 | 18 |
| Prescott 3 | | | | | | | | | | | | | | | | |
| Riverbank 4 | | | | | | | | | | | | | | | | |
| Riverbank 5 | | | | | | | | | | | | | | | | |
| Salida 1 | 25 | 2 | 14 | 2 | 4 | 4 | 8 | 11 | 2 | | 4 | 5 | 2 | 3 | | 11 |
| Special 101 | 88 | 10 | 17 | 8 | 31 | 8 | 19 | 47 | 7 | 3 | 8 | 23 | 18 | 3 | 16 | 26 |
| Special 102 | 86 | 4 | 30 | 5 | 16 | 28 | 17 | 26 | 9 | 9 | 14 | 21 | 6 | 3 | 11 | 9 |
| Special 103 | 234 | 21 | 97 | 23 | 47 | 32 | 64 | 126 | 39 | 3 | 37 | 30 | 40 | 12 | 12 | 48 |
| Special 104 | 124 | 5 | 49 | 13 | 26 | 18 | 41 | 62 | 15 | 5 | 16 | 28 | 13 | 13 | 5 | 27 |
| Special 105 | 157 | 10 | 86 | 9 | 29 | 17 | 59 | 90 | 13 | 5 | 13 | 23 | 24 | 5 | 13 | 27 |
| Special 106 | 189 | 20 | 61 | 14 | 51 | 32 | 45 | 101 | 22 | 2 | 16 | 44 | 42 | 5 | 15 | 52 |
| Special 107 | 211 | 13 | 84 | 13 | 42 | 21 | 74 | 99 | 34 | 6 | 18 | 48 | 33 | 12 | 13 | 61 |
| Special 108 | 173 | 12 | 67 | 4 | 22 | 17 | 48 | 71 | 25 | 6 | 8 | 46 | 22 | 3 | 7 | 24 |
| Special 109 | 210 | 19 | 68 | 40 | 40 | 36 | 44 | 93 | 36 | 7 | 23 | 48 | 37 | 5 | 11 | 50 |
| Special 110 | 180 | 10 | 61 | 40 | 31 | 33 | 50 | 92 | 33 | 4 | 19 | 40 | 27 | 7 | 15 | 29 |
| Special 111 | 296 | 27 | 93 | 11 | 74 | 45 | 100 | 157 | 28 | 6 | 37 | 48 | 56 | 4 | 23 | 102 |
| Special 112 | 156 | 8 | 66 | 10 | 22 | 30 | 65 | 83 | 26 | 7 | 16 | 38 | 16 | 5 | 12 | 20 |
| Special 113 | 104 | 9 | 43 | 11 | 25 | 21 | 28 | 39 | 23 | 8 | 16 | 22 | 13 | 7 | 10 | 21 |
| Special 114 | 177 | 9 | 66 | 22 | 23 | 32 | 54 | 93 | 27 | 5 | 20 | 39 | 28 | 10 | 15 | 38 |
| Special 115 | 148 | 15 | 43 | 22 | 26 | 25 | 34 | 65 | 17 | 9 | 22 | 31 | 24 | 6 | 16 | 38 |
| Special 116 | 107 | 16 | 47 | 7 | 22 | 9 | 43 | 40 | 19 | 7 | 6 | 26 | 9 | 4 | 9 | 14 |
| Special 301 | 120 | 3 | 37 | 10 | 18 | 13 | 26 | 59 | 29 | 3 | 15 | 40 | 21 | 2 | 8 | 44 |
| Special 302 | 49 | 5 | 13 | 6 | 12 | 7 | 14 | 18 | 13 | 8 | 6 | 11 | 10 | 1 | 5 | 9 |
| Special 303 | 107 | 7 | 30 | 2 | 33 | 10 | 31 | 51 | 13 | | 6 | 15 | 21 | 4 | | 41 |
| Special 304 | 73 | 2 | 26 | 4 | 15 | 1 | 26 | 33 | 6 | 4 | 4 | 13 | 15 | 2 | 12 | 20 |
| Special 305 | 42 | 2 | 30 | 2 | 3 | 8 | 12 | 16 | 10 | 3 | 6 | 11 | 1 | 2 | 3 | 7 |
| Special 306 | 14 | 1 | 7 | | 5 | | 5 | 11 | 1 | | | 3 | 2 | | 2 | 5 |
| | 91 | 2 | 21 | 4 | 34 | 7 | 16 | 40 | 7 | 2 | 4 | 19 | 4 | 3 | 5 | 10 |
| Absentee Vote | 868 | 80 | 267 | 84 | 184 | 96 | 205 | 360 | 138 | 46 | 104 | 201 | 183 | 41 | 69 | 252 |
| Total | 13387 | 975 | 4760 | 1127 | 2747 | 1872 | 3746 | 6370 | 1831 | 523 | 1621 | 2851 | 2387 | 511 | 936 | 3352 |

FORM 142-S

MODESTO CITY COUNCIL
RESOLUTION NO. 83-137

A RESOLUTION APPROVING THE REQUEST OF GRISWOLD AND WIGHT FOR A REFUND OF BUSINESS LICENSE MILL TAX OVERPAYMENT IN THE AMOUNT OF $2,990.67

BE IT RESOLVED by the Council of the City of Modesto that the request of Griswold and Wight for refund of business license mill tax overpayment in the amount of $2,990.67 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of March, 1983, by Councilmember Patterson,who moved its adoption, which motion being duly seconded by Councilmember Whiteside,was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Hensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-138

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION FOR FUNDS UNDER THE INSTITUTE OF MUSEUM SERVICES GRANT PROGRAM FOR THE Mc HENRY MUSEUM.

WHEREAS, currently the Institute of Museum Services is administering a grant program which assists museums in meeting their administrative, staff and operating costs, and

WHEREAS, the McHenry Museum meets the criteria for this grant, and staff recommends application be made for $15,000.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the submission of an application for funds under the institute of Museum Services Grant Program for the McHenry Museum, in the amount of $15,000 be, and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of March, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-139

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** OF NECESSITY TO ACQUIRE THE BARRY R. VALLERAND, ET AL PROPERTY NEEDED FOR THE EXPANSION OF THE CITY SERVICE YARD

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** April 12, 1983 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire the Barry R. Vallerand, et al property needed for the expansion of the City Service Yard.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 15th. **day of** March **, 19** 83 **, by Councilmember** Patterson **, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-140

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** OF NECESSITY TO ACQUIRE TWO EASEMENTS FROM DELLA FARRELL, ET AL AND LENA CAPOBIANCO NEEDED FOR A BICYCLE TRAIL

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** April 12, 1983 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire two easements from Della Farrell, et al and Lena Capobianco needed for a bicycle trail near La Loma Jr. High School.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 15th **day of** March **, 19** 83 **, by Councilmember** Patterson **, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside **, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-141

A RESOLUTION ACCEPTING IMPROVEMENTS IN WIMBLEDON COURT SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Landers Construction , subdividers of Wimbledon Court Subdivision , have filed subdivision bonds for faithful performance and labor and materials in the amount of $1,600.00 and $1,600.00 respectively to guarantee improvements in Wimbledon Court Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated March 8, 1983 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Wimbledon Court Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $1,600.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $1,600.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of March , 1983 by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Whiteside , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO.83-142

A RESOLUTION ACCEPTING IMPROVEMENTS IN THE ORCHARDS SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, A Cal Rossi Company, Ltd. , subdividers of The Orchards Subdivision , have filed subdivision bonds for faithful performance and labor and materials in the amount of $113,000.00 and $56,500.00 respectively to guarantee improvements in The Orchards Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated March 8, 1983 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in The Orchards Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $113,000.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $56,500.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of March , 1983 by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Whiteside , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY OF MODESTO

RESOLUTION NO. 83-143

RESOLUTION CONDITIONALLY PROVIDING FOR THE ISSUANCE OF BONDS TO FINANCE RENTAL HOUSING TO BE CONSTRUCTED AND OWNED BY WESTDALE COMMONS

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WHEREAS, the City of Modesto (the "City") is a municipal corporation and charter city duly organized and existing under the Constitution and laws of the State of California; and

WHEREAS, the City Council of the City, after careful study and consideration, has determined that there is a shortage of safe and sanitary housing within the City, and that it is in the best interest of the residents of the City and in furtherance of the health, safety and welfare of the public for the City to assist in the financing of housing developments; and

WHEREAS, Westdale Commons, A Limited Partnership (the "Owner"), has requested that the City issue and sell its bonds for the purpose of financing a multi-unit rental housing project (the "Project"), to be located at the southwest corner of Dale and Palendale Avenues in the City, to be acquired and constructed by the Owner or by a related entity, and the City wishes to induce the Owner to acquire and construct the Project at said location; and

WHEREAS, it is in the public interest and for the public benefit that the City authorize such financing for the Project, and it is within the powers of the City to provide such financing; and

WHEREAS, in order to expedite the financing of the Project, the City deems it advisable to select bond counsel and an underwriter at this time;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Modesto as follows:

1. The City will issue, at one time or from time to time, bonds in an aggregate principal amount not to exceed $7,000,000 to provide financing for the Project, subject to the conditions that (i) the City by resolution shall have first agreed to acceptable terms

and conditions for the bonds (and for the sale and delivery thereof), and for an indenture and all other agreements with respect to any of the foregoing; (ii) all requisite governmental approvals shall have first been obtained; (iii) the bonds shall be payable solely from revenues received with respect to loans or other investments made with the proceeds of such bonds, and neither the full faith nor the credit of the City shall be pledged to the payment of the principal of or interest on any such bond; (iv) the City and the Owner shall have entered into a preliminary agreement concerning the financing, in substantially the form before this meeting, with such additions or deletions as are considered necessary or appropriate by officers of the City and the Owner, and the City Manager is hereby authorized to execute said preliminary agreement for and in the name and on behalf of the City; (v) at least twenty percent (20%) of the Project units are to be occupied by individuals or families of low or moderate income as defined in Section 103(b) of the Internal Revenue Code of 1954, as amended, for at least the period required by said section, and the Project shall otherwise meet any federal requirements for tax exemption of interest on the bonds and any requirements of the City applicable to such financings.

2. The Mayor, City Clerk, City Manager, City Attorney and their deputies and other officers of the City are hereby authorized and directed to participate in the preparation of any resolution, indenture, bond purchase agreement, official statement and/or other documents or agreements necessary or appropriate to effect such financing.

3. In connection with the proposed issuance of such bonds, Orrick, Herrington & Sutcliffe, A Professional Corporation, is hereby selected and designated as bond counsel for the City, and Dean Witter Reynolds Inc. is hereby selected and designated as underwriter for the bonds.

4. It is the purpose and intent of the City that this Resolution constitute official action toward the issuance of obligations by the City in accordance with Section 1.103-8(a)(5)(iii) of the Regulations of the United States Department of the Treasury.

5. This Resolution shall take effect immediately.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of March, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CLERK'S CERTIFICATE

I hereby certify that I am the duly elected, qualified and acting City Clerk of the City of Modesto, and that the foregoing is a true, full and correct copy of a resolution duly adopted at a meeting of the City Council of said City held on March 15, 1983.

Dated: March 15, 1983.

Marsine Coyle
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-144

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (337).

WHEREAS, a verified application for an amendment to Sections 26-3-9 and 35-3-9 of the Zoning Map was filed by Creighton W. Brower on December 3, 1982, to reclassify from General Commercial Zone, C-2, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the south half of Section 26, and north half of Section 35, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, described as follows:

All of Parcel 1 as shown on the parcel map filed in the office of the Recorder of Stanislaus County, California, on April 19, 1979, in Volume 28 of Parcel Maps at Page 113.

Including also all of Yosemite Boulevard and North Riverside Drive immediately adjacent to the above described property as shown on said parcel map.

WHEREAS, after public hearing held on February 7, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone is the best vehicle to achieve site upgrading along with the desired land uses and joint parking approval.

2. The grocery warehousing is reasonable at this location considering the other adjoining commercial-industrial uses and the large industrial area across Yosemite Boulevard.

3. The proposed P-D Zone will be a reasonable "bridge" between the typical "straight" zoning along Yosemite and the anticipated performance zoning and development on to the east.

WHEREAS, after a public hearing held on March ~~15~~ 22, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Creighton W. Brower for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2179 -C.S. on the 22nd day of March, 1983, reclassifying the above-described property from General Commercial Zone, C-2 to Planned-Development Zone, P-D (337).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(337) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "C. W. Brower Building" as amended in red, stamped approved by the Planning Commission on February 7, 1983.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the north property line.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   8-foot decorative masonry wall along the north property line

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

6. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

7. All signs shall comply with the sign requirements of the H-1 Zone.

8. Clear vision from the front windows shall be maintained into the family amusement machine center.

9. The family amusement machine center shall be well lighted during operating hours.

10. The family amusement machine center shall be available for inspection by the Police Department at any time.

11. The family amusement machine center may be open to the public only until 11 p.m. on Sundays through Thursdays and until 1 a.m. Fridays and Saturdays.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (337):

That the entire construction program be accomplished in one phase, construction having begun, completion to be not later than March 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (337) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Michael C. Herrero
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-145

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAPS 26-3-9 AND 35-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY THEREON. (CREIGHTON W. BROWER)

WHEREAS, on March 22, 1983, the City Council introduced Ordinance No. 2179-C.S. giving approval to a project relating to an amendment to Section Maps 26-3-9 and 35-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from General Commercial Zone, C-2, to Planned Development Zone, P-D(337), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Maps 26-3-9 and 35-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from General Commercial Zone, C-2, to Planned Development Zone, P-D(337).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-146

A RESOLUTION DENYING THE APPEAL OF DAVID A. CERUTTI TO A BOARD OF ZONING ADJUSTMENT DECISION DENYING A VARIANCE TO PERMIT A CARPORT TO ENCROACH INTO THE 20 FOOT FRONT YARD SETBACK AT 161 BONITA CIRCLE.

WHEREAS, an application for a variance from the provisions of Section 10-2.504 of the Modesto Municipal Code to permit construction of an open carport cover with a less than 20 foot front yard setback at 161 Bonita Circle, on the south corner of Bonita Circle and Buena Vista was filed by David A. Cerutti on December 28, 1982, and

WHEREAS, Section 10-2.1904(a) and 10-2.2001 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant variances subject to findings specified in Section 10-2.2003, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on January 27, 1983, and continued to February 24, 1983, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearings evidence both oral and documentary was received and considered, and

WHEREAS, by Resolution No. 1102, the Board of Zoning Adjustment found and determined that the required findings for a variance could not be made because:

1. There are no exceptional or extraordinary circumstances applicable to the property which would give rise to a variance.

2. A variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the surrounding area.

and

WHEREAS, the Board of Zoning Adjustment, by said Resolution No. 1102, denied the requested variance to permit construction of an open carport cover with a less than 20 foot front yard setback at 161 Bonita Circle, on the south corner of Bonita Circle and Buena Vista, and

WHEREAS, an appeal was filed with the City Council of the City of Modesto on February 23, 1983, to the decision of the Board of Zoning Adjustment regarding the requested front yard setback, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 7:30 p.m., on March 22, 1983, and

WHEREAS, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that said appeal to the decision of the Board of Zoning Adjustment should be denied and that the decision of the Board of Zoning Adjustment should be affirmed for the reasons set forth by the Board of Zoning Adjustment in its Resolution No. 1102 and quoted above.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by David A. Cerutti to the Board of Zoning Adjustment decision denying a variance to permit a carport to encroach into the 20 foot front yard setback at 161 Bonita Circle, on the south corner of Bonita Circle and Buena Vista, is hereby denied for the reasons set forth above and the decision of the Board of Zoning Adjustment is affirmed.

BE IT FURTHER RESOLVED that this Council hereby waives the one year limitation set forth in Section 10-2.2006 of the Modesto Municipal Code in order that David A. Cerutti can submit a new application to the Board of Zoning Adjustment for a variance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-147

A RESOLUTION DENYING THE APPEAL OF MID VALLEY ENGINEERING ON BEHALF OF C. H. DUNLAP COMPANY TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING THE APPEAL BY C. H. DUNLAP COMPANY AND AFFIRMING THE DETERMINATION OF THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT THAT A WALL SIGN ON A BUILDING AT 1700 MC HENRY AVENUE EXCEEDS THE AREA LIMITATIONS OF THE SIGN REGULATIONS.

WHEREAS, the C. H. Dunlap Company store at 1700 McHenry Avenue has a wall sign on its 175 foot long west wall which, under the City's sign regulations applicable to C-2 Zones, may have a maximum area of 375 square feet, and

WHEREAS, the Director of Planning and Community Development has determined that the total area of said sign must be calculated by measuring not only the area of the letters spelling "DUNLAPS" but the area of all spaces between said letters as well, and accordingly, has further determined that said sign has an area of 760 square feet and must be removed under the City's sign abatement program, and

WHEREAS, an appeal to the determinations by the Director of Planning and Community Development that the total area of said sign must be calculated by measuring not only the area of the letters spelling "DUNLAPS", but the area of all spaces between said letters as well, and that said sign therefore has an area of 760 square feet, was filed on December 20, 1982, by C. H. Dunlap Company, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on January 27, 1983, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said hearing it was determined by the Board of Zoning Adjustment by Resolution No. 1100, that the total area of the subject sign was correctly calculated by the Director of Planning and Community Development by measuring not only the area of the letters spelling "DUNLAPS" but the area of all spaces between said letters as well, and that said sign therefore has an area of 760 square feet, and that said sign thus exceeds the area limitations of the sign regulations set forth in Article 35 of the Modesto Municipal Code, and

WHEREAS, the Board of Zoning Adjustment affirmed said determination by the Director of Planning and Community Development and denied the appeal from his determination, and

WHEREAS, an appeal was filed by Mid Valley Engineering on behalf of C. H. Dunlap Company with the City Clerk of the City of Modesto on February 1, 1983, to the decision of the Board of Zoning Adjustment affirming the determination of the Director of Planning and Community Development that the total area of the subject sign is correctly calculated by measuring not only the area of the letters spelling "DUNLAPS", but the area of all spaces between said letters as well, and that said sign therefore has an area of 760 square feet, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 p.m. on March 22, 1983, at which time evidence both oral and documentary was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that after due consideration of all of the evidence presented, it hereby determines that the total area of the wall sign at 1700 McHenry Avenue was

correctly calculated by the Director of Planning and Community Development by measuring not only the area of the letters spelling "DUNLAPS" but the area of all spaces between said letters as well, and that said sign therefore has an area of 760 square feet and that said sign thus exceeds the area limitations of the sign regulations set forth in Article 35 of the Modesto Municipal Code and must be removed under the City's sign abatement program.

BE IT FURTHER RESOLVED that the appeal by Mid Valley Engineering on behalf of the C. H. Dunlap Company to the decision of the Board of Zoning Adjustment set forth in its Resolution No. 1100 denying the appeal by C. H. Dunlap Company and affirming the determination of the Director of Planning and Community Development is hereby denied and the decision of the Board of Zoning Adjustment affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-148

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF ALTERNATIVE METHANE FUEL PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of alternative methane fuel program

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 12, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-149

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SLURRY SEAL AND STRIPE COMMERCIAL RUNWAY AND OVERLAY AND STRIPE UTILITY RUNWAY (ADAP NO. 3-06-0153-01)

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for slurry seal and stripe commercial runway and overlay and strip utility runway copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 19, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-150

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING HANDICAPPED ACCESSIBLE DRINKING FOUNTAINS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing handicapped accessible drinking fountains

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 19, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-151

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR A NEW THREE-YEAR DIAL-A-RIDE CONTRACT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for a new three-year Dial-A-Ride contract copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 10, 1983 at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-152

AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** STORER TRANSPORTATION EXTENDING THEIR DIAL-A-RIDE TERM TO 12-31-83

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**

amended

**that the /agreement between the City of Modesto and** Storer Transportation extending their Dial-A-Ride term to 12-31-83 to allow sufficient time for the City to seek bids, award a contract, and allow the successful bidder 180 days to commence service

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** March, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-153

A RESOLUTION ACCEPTING THE BID OF L.M. ROBERTS CONSTRUCTION FOR STANDIFORD AVENUE IMPROVEMENTS FROM CONANT AVENUE TO A POINT 644 FEET EAST OF CONANT

WHEREAS, Resolution No. 83-97, adopted by the Council of the City of Modesto on February 22, 1983, approved the plans and specifications for the Standiford Avenue improvements from Conant Avenue to a point 644 feet east of Conant and authorized the calling for bids; and

WHEREAS, the bids received for the Standiford Avenue improvements from Conant Avenue to a point 644 feet east of Conant were opened at 11:00 a.m. on March 15, 1983, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of L.M. Robert Construction in the amount of $24,460.14 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of L.M. Roberts Construction in the amount of $24,460.14 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-154

A RESOLUTION ACCEPTING THE BID OF COLLINS ELECTRICAL CO. TO CONSTRUCT TRAFFIC SIGNALS AT CARPENTER ROAD AND WOODLAND AVENUE

WHEREAS, Resolution No.83-77 , adopted by the Council of the City of Modesto on February 8, 1983 , approved the plans and specifications for the construction of traffic signals at Carpenter Road and Woodland Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the construction of traffic signals at Carpenter Road and Woodland Avenue were opened at 2:00 p.m. on March 15, 1983 , and later tabulated by the Director of Parking and/Traffic for the consideration of the Council; and

WHEREAS, the Director of Parking and/Traffic has recommended that the bid of Collins Electrical Co. in the amount of $77,635 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Collins Electrical Co. in the amount of $77,635 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March , 1983 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Patterson , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-155

**A RESOLUTION ACCEPTING THE** STRENGTHENING OF WATER SYSTEM ON SIERRA DRIVE, ROSEDALE AVENUE AND WESTERN WAY FROM ROSELAWN AVENUE TO SUTTER AVENUE AS COMPLETE

**WHEREAS, a repcrt has been filed by the** Director of Public Works **that the** strengthening of water system on Sierra Drive, Rosedale Avenue and Western Way from Roselawn Avenue to Sutter Avenue **has been ccmpleted by** Boulder Construction

**in accordance with the contract agreement dated** October 21, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the** strengthening of water system on Sierra Drive, Rosedale Avenue and Western Way from Roselawn to Sutter Avenues **be accepted from said contractor,** Boulder Construction;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $88,413.15 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** March, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-156

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY.

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, the City has several surplus items of personal property that could best be sold on a sealed bid basis, which items are as set forth on Exhibit "A" attached hereto, and by this reference made a part hereof as though set forth in full herein, and

WHEREAS, said property has become surplus to the City's needs by reason of replacement or obsolescence,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell on a sealed bid basis to the highest bidder, those items of personal property set forth on Exhibit "A" referred to above, which are hereby found to be surplus.

SECTION 2. The sale shall be conducted by the City Manager or by such person as he may select for this purpose. If said items of property cannot be sold on a sealed bid basis as provided for above, they shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Bright, who moved its adoption, which motion

being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

SURPLUS/~~UNCLAIMED~~ PROPERTY LISTING

PT. Science - Surplus COST CENTER_____ FUND 01 BY JJ EXT. 406 PAGE_____

| S | INVENT NBR. | SERIAL NBR. | QUANTITY | COMPLETE DESCRIPTION, INCLUDING BRAND AND MODEL | LOCATION | TRANSFERRED YES | TRANSFERRED NO |
|---|---|---|---|---|---|---|---|
| | — | 6W81F134897 | 1 | 1980 FORD GRANADA | | | |
| | 12031 | NL41HAF224928 | 1 | 1980 DODGE ASPEN | | | |
| | 10015 | PA25H218500 | 1 | 1978 FORD LTD | | | |
| | [illegible] | | 1 | [illegible] | | | |
| | 7299 | | 1 | [illegible] | | | |
| | — | | 1 | [illegible] | | | |
| | 6027 | | 1 | [illegible] | | | |
| | — | | 1 | [illegible] | | | |
| | — | | 1 | [illegible] | | | |
| | 7369 | | 1 | [illegible] | | | |
| | 6317 | | 1 | [illegible] | | | |
| | [illegible] | | 1 | [illegible] | | | |
| | [illegible] | | 1 | [illegible] | | | |
| | [illegible]

SURPLUS ~~AUCTIONED~~ PROPERTY LISTING

DEPT. Parks & Recreation COST CENTER 3112 FUND 01 BY C. Luke EXT. 459 PAGE

| ES | INVENT NBR. | SERIAL NBR. | QUANTITY | COMPLETE DESCRIPTION, INCLUDING BRAND AND MODEL | LOCATION | TRANSFERRE YES | NO |
|---|---|---|---|---|---|---|---|
| | 3415 | | 1 | AIR CONDITIONER CORY | | | |
| | | | 1 | " " ROBBINS / MEYERS | | | |
| | | | 1 | " " COOLERATOR | | | |
| | | | 1 | " " GEN. ELEC. | | | |
| | | | 1 | COFFEE URN | | | |
| | | | 1 | PALLET - WROUGHT IRON FENCING, ASSORTED PIECES | | | |
| | | | 1 | WASHING MACHINE WHIRLPOOL | | | |
| | | | 1 | AIR CONDITIONER CHRYSLER | | | |
| | | | 1 | " " COOLERATOR | | | |
| | 7151 | | 1 | " " CARRIER | | | |
| | | | 1 | " " FEDDERS | | | |
| | | | 1 | " " CORI | | | |
| | | | 1 | " " COOLERATOR | | | |
| | | | 1 | " " UNKNOWN | | | |
| | | | 1 | " " " | | | |
| | | | 1 | " " MONTGOMERY WARD | | | |
| | | | 1 | " " LCD | | | |
| | | | 1 | " " CORI | | | |
| | | | 1 | " " " | | | |
| | | | 1 | " " LCD | | | |
| | | | 1 | WASHING MACHINE WHIRLPOOL | | | |
| | | | 1 | BULLETIN BOARD | | | |
| | | | 1 | STOVE, GAS KENMORE | | | |
| | | | 1 | STOVE, GAS KENMORE | | | |

PROPERTY TRANSFER NOTICES MUST ACCOMPANY THIS LISTING FOR ALL INVENTORIED ITEMS NOT PREVIOUSLY TRANSFERRED

SURPLUS/~~UNCLAIMED~~ PROPERTY LISTING

PT. Parks & Recreation COST CENTER 3112 FUND 01 BY C. Lute EXT. 459 PAGE

| S | INVENT NBR. | SERIAL NBR. | QUANTITY | COMPLETE DESCRIPTION, INCLUDING BRAND AND MODEL | | LOCATION | TRANSFERRED YES | TRANSFERRED NO |
|---|---|---|---|---|---|---|---|---|
| | | | 1 | STOVE, GAS | HARDWICK | | | |
| | | | 1 | STOVE, GAS | WEDGEWOOD | | | |
| | | | 1 | REFRIGERATION UNIT | GEN. ELEC. | | | |
| | | | 1 | REFRIGERATION UNIT | WAGNER | | | |
| | | | 1 | DRYER | MAYTAG | | | |
| | | | 1 | DRYER | FRIGIDAIRE | | | |
| | | | 1 | PALLET OF ASSORTED DOORS | | | | |
| | | | 5 | 16" IRRIGATION VALVES | | | | |
| | | | 1 | 21" IRRIGATION VALVES | | | | |
| | YES | | 1 | DISPLAY CASE, GLASS, 23½" x 40½" x 72" | | | | |
| | | | 1 | SUBMERSIBLE PUMP | FRANKLIN | | | |
| | | | 1 | PALLET - ASSORTED CHEMICAL SPRINKLERS | | | | |
| | | | 56 | SINKS | | | | |
| | | | 1 | TOILET | | | | |
| | | | 1 | GARDEN CART W/O WHEELS | | | | |

PROPERTY TRANSFER NOTICES MUST ACCOMPANY THIS LISTING FOR ALL INVENTORIED ITEMS NOT PREVIOUSLY TRANSFERRED

SURPLUS ~~UNCLAIMED~~ PROPERTY LISTING

PT. PW - Service COST CENTER 5812 FUND 72 BY Hinkle / Ht EXT. 306 PAGE

| S | INVENT NBR. | SERIAL NBR. | QUANTITY | COMPLETE DESCRIPTION, INCLUDING BRAND AND MODEL | LOCATION | TRANSFERRED YES | TRANSFERRED NO |
|---|---|---|---|---|---|---|---|
| 2 | 30182 | D15AJS375661 | 1 | 1971 DODGE 1/2 T PICKUP | | | |
| 2 | 30250 | CS33FZ140804 | 1 | 1968 CHEVROLET 1T FLATBED | | | |
| F | 30239 | 2052FHA19763 | 1 | 1976 INTERNATIONAL DUMP TRUCK, 19200 G.V.W. | | | |
| | 30276 | 1HCAADDS5E56[illegible]2 | 1 | 1974 INTERNATIONAL CAB W/CHASIS, 10,000 G.V.W. | | | |
| 1 | 30151 | E10KRY10960 | 1 | 1977 FORD 1/2T PICKUP W/UTILITY BODY | | | |

OPERTY TRANSFER NOTICES MUST ACCOMPANY THIS LISTING FOR ALL INVENTORIED ITEMS NOT PREVIOUSLY TRANSFERRED

SURPLUS ~~UNCLAIMED~~ PROPERTY LISTING

DEPT. P.W. - SERVICE COST CENTER 5813 FUND 72 BY HINKLE EXT. 306 PAGE

| ES | INVENT NBR. | SERIAL NBR. | QUANTITY | COMPLETE DESCRIPTION, INCLUDING BRAND AND MODEL | LOCATION | TRANSFERRED YES | TRANSFERRED NO |
|---|---|---|---|---|---|---|---|
| 80 | 18030 | 4L41HA224827 | 1 | 1980 DODGE ASPEN | | | |
| 83 | 18102 | 1B3M46N8EH168603 | 1 | 1981 DODGE DIPLOMAT | | | |
| | | | | | | | |
| | | | | | | | |
| | | | |

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-157

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** JACK M. AND MARGUERITE CARLSON FOR ACQUISITION OF 1,200± SQUARE FEET OF THEIR PROPERTY NEEDED TO INSTALL SIDEWALKS ON WOODROW AVENUE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Jack M. and Marguerite Carlson for acquisition of 1,200± square feet of their property needed to install sidewalks on Woodrow Avenue

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** March, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-158

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** PACIFIC EXPRESS AIRLINES FOR OPERATING AT THE MODESTO CITY-COUNTY AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Pacific Express Airlines for operating at the Modesto City-County Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** March, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-159

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** PACIFIC TELEPHONE COMPANY TO PROVIDE THE CITY WITH COIN OPERATED TELEPHONES

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Pacific Telephone Company to provide the City with coin operated telephones

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** March, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-160

A RESOLUTION AMENDING A POLICY FOR THE DISPOSAL OF SCRAP METAL AND OTHER MATERIAL

WHEREAS, the City Council deems it desirable to amend the policy regarding the disposal of scrap materials, waste oils, used batteries, dunnage, used tires, trimmed wood, wood chips and leaves as surplus City property and authorize their disposal by the Purchasing Officer at the best available market price on an on-going basis as necessary.

BE IT HEREBY RESOLVED that the City Council of the City of Modesto does hereby adopt the policy entitled, "Disposal of Surplus Material", a copy of which is attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Patterson was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Hensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

# PROPOSAL TO AMEND CITY COUNCIL POLICY

Subject: Disposal of Surplus Material

## Purpose:

To establish procedure for the disposal of surplus material that the City may accumulate.

## Background:

Section 801 of the City Charter authorizes the City Manager to sell obsolete, unused or personal property of the City with the approval of the City Council.

The City of Modesto accumulates, from time to time, various quantities of surplus materials in several classifications for which it has no further use. Said surplus property has a market value and should be disposed of at the best available market price for the benefit of the City.

## Policy:

1. The City Manager, through the Purchasing Officer, may provide for the periodic disposal of the following surplus materials that the City accumulates and for which it has no further use. Disposal may be through direct sales, informal bid process, contract negotiations, or sealed bids on an ongoing basis, as necessary, at the best available market price: scrap metals, waste oils, used batteries, dunnage, used tires, trimmed wood, wood chips, and leaves.

2. The Purchasing Officer shall report said sales to the City Manager at the end of each Fiscal Year and report shall be in summary form identifying quantities of materials sold and revenues received for each category of materials.

3. The City Manager shall transmit said report to the City Council for its information.

Res. 67-19, amended by Res. 75-954

MODESTO CITY COUNCIL
RESOLUTION NO. 83-161

A RESOLUTION AMENDING THE ANNUAL BUDGET OF THE CITY OF MODESTO FOR FISCAL YEAR 1982-83.

WHEREAS, it has been determined that certain adjustments are required to the Annual Budget of the City of Modesto for Fiscal Year 1982-83,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following adjustments be made to the Annual Budget of the City of Modesto for the Fiscal Year 1982-83.

GENERAL FUND (Fund No. 01)

Revenue Adjustments

| Account | Description | Increase (Decrease) Amount |
|---|---|---|
| 109 | Property Transfer Tax | $( 46,500) |
| 110 | Sales and Use Tax | (285,000) |
| 111 | Utility Users Tax | ( 52,000) |
| 209 | Trailer Coach License Fees | ( 93,500) |
| 210 | Motor Vehicle License Fees | (150,000) |
| 302 | Business License Mill Tax | ( 86,000) |
| 401 | General City Fines | 57,000 |
| 616 | Subdivision Inspection Fees | ( 57,000) |
| 941.06 | Transfer In-Traffic Safety Fund | 500,000 |
| 274.05 | Federal Grants - Museum Photos | 13,000 |

Appropriation Adjustments

| | | |
|---|---|---|
| 425/6202 | P.E.R.S. - Employer Contributions | $(662,300) |
| 200/3699 | Professional and Contractual Services | 9,000 |
| 300/3699 | Materials and Supplies | 4,000 |
| 200/1999 | Professional and Contractual Services | (115,000) |
| 200/4799 | Professional and Contractual Services | ( 98,000) |
| 100/0299 | Employee Services | 8,012 |
| 100/4412 | Employee Services | ( 8,012) |
| 61.02/8911 | Contingency Reserve for Salary and Material Increase | 662,300 |

LOCAL TRANSPORTATION FUND (Fund No. 05)

Revenue Adjustment

| Account | Description | Increase (Decrease) Amount |
|---|---|---|
| 905/030 | Donations - Bicycle Racks | $ 2,000 |

Appropriation Adjustment

| | | |
|---|---|---|
| 61.04/8911 | Contingency -Reserve for Pending Projects | $ 2,000 |

TRAFFIC SAFETY FUND (Fund No. 06)

Revenue Adjustment

| Account | Description | Increase (Decrease) Amount |
|---|---|---|
| 406 | Motor Vehicle Fine and Forfeitures | $ 500,000 |

Appropriation Adjustment

| | | |
|---|---|---|
| 70.01 | Transfers Out-General Fund | 500,000 |

SPECIAL GAS TAX FUND (Fund No. 07)

Revenue Adjustment

| Account | Description | Increase (Decrease) Amount |
|---|---|---|
| 266.01 | County Share of Street Projects | $ 88,323 |

Appropriation Adjustments

| | | |
|---|---|---|
| 6506/7101 | Oakdale/Sylvan - Widen Intersection | 33,474 |
| 61.04/8911 | Contingency Reserve for Pending Projects | 54,849 |

SPECIAL FUND FOR CAPITAL OUTLAYS (Fund No. 13)

Revenue Adjustments

| Account | Description | Increase (Decrease) Amount |
|---|---|---|
| 274 | Federal Grants | $ 19,350 |
| 217 | PUC Allocation | 61,323 |

Appropriation Adjustments

| | | |
|---|---|---|
| 6612/7118 | Emergency Operations Center | 40,450 |
| 6965/7140 | Convert Lights - High Pressure Sodium | 152,300 |
| 6019/7140 | Orchard Drainage Area | (625,765) |
| 6735/7116 | Carpenter/Briggsmore - S.P.R.R. Overpass | 60,036 |
| 61.10/8911 | Contingency Reserve for Land Acquisition and Capital | 453,652 |

SPECIAL AVIATION FUND (Fund No. 64)

Revenue Adjustments

| Account | Description | Increase (Decrease) Amount |
|---|---|---|
| 223 | County Airport Apportionment | $( 26,400) |
| 255 | FAA Grants | 109,800 |

Appropriation Adjustments

| | | |
|---|---|---|
| 6949/7101 | Seal and Stripe - 28R/10L | 48,000 |
| 6953/7101 | Utility Runway - Overlay/Stripe | 15,000 |
| 61.04/8911 | Contingency Reserve for Pending Projects | 20,400 |

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-162

A RESOLUTION DESIGNATING COUNCILMEMBER THOMAS BRIGHT TO SERVE AS VICE MAYOR FOR THE ENSUING YEAR PURSUANT TO SECTION 603 OF THE CHARTER OF THE CITY OF MODESTO

BE IT RESOLVED by the Council of the City of Modesto that Councilmember Thomas Bright is hereby designated to serve as Vice Mayor for the ensuing year pursuant to Section 603 of the Charter of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1983,by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Patterson,was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-163

A RESOLUTION GRANTING APPROVALS TO THE MODESTO JAYCEES FOR A FIREWORKS DISPLAY AND PARADE AND FOR ASSISTANCE WITH THE JAYCEES "PICNIC IN THE PARK" FOR THE 1983 FOURTH OF JULY CELEBRATION IN THE CITY OF MODESTO, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the Modesto Jaycees (hereinafter referred to as the Jaycees) has filed a request with the City Council for permission to have a fireworks display on July 4, 1983, and a parade on July 4, 1983, and for assistance with its "Picnic in the Park" on July 3 and 4, 1983, all of which will be held to celebrate the 1983 Fourth of July, and

WHEREAS, the Council deems it appropriate to grant approvals and assistance to the Jaycees relating to its Fourth of July celebration, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the Modesto Jaycees' 1983 Fourth of July Celebration fireworks display and parade:

1. The Jaycees are granted permission to use Del Webb Field for display of fireworks on the evening of Monday, July 4, 1983, subject to the following conditions:

(a) That the weather conditions will not create any fire hazard to the surrounding area;

(b) That the Jaycees assume the responsibility for cleaning Del Webb Field and adjacent areas after their use;

(c) That the City be reimbursed for any damages which may occur to Del Webb Field and City's two (2) adjacent golf courses;

(d) That arrangements be cleared by the Director of Parks and Recreation and the Chief of Police;

(e) That the fireworks display be conducted according to the requirements of the Fire Chief of the City of Modesto as set forth in the memorandum from the Fire Chief to the City Manager dated April 1, 1983, a copy of which is attached hereto marked Exhibit "A" and made a part hereof as though set forth in full herein.

2. The City will supply a standby fire truck for the fireworks display.

3. The City will provide eight (8) chemical toilets for use in the Municipal Golf Course for the fireworks display on Monday, July 4, 1983.

4. "I" Street, between 11th and 12th Streets will be barricaded between 9:30 a.m. and 3:30 p.m. on Monday, July 4, 1983, for the parade.

5. The City's reviewing stand with canvas top will be placed on "I" Street close to the cannon in the Courthouse Park by City personnel for use for the parade on Monday, July 4, 1983.

6. The Jaycees are granted permission to use a public address system at the reviewing stand for the parade. Said public address system to be furnished by the Jaycees.

7. The following parade route is approved as the parade route to be used on Monday, July 4, 1983, subject to approval of the Chief of Police and Director of Parking and Traffic: starting at 10th and F Streets, north on 10th to J Street; east on J Street to 11th; south on 11th to I Street; east on I Street to 16th Street; then dismantle.

8. The City will supply three (3) street sweepers for the parade.

9. The City will pay the Jaycees a total of Seven Thousand and no/100ths ($7,000.00) Dollars to help defray some of the Jaycees' expenses such as insurance, postage, etc. for the 1983 Fourth of July fireworks display, parade and "Picnic in the Park".

10. The City will provide police assistance as deemed necessary by the Chief of Police.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the Jaycees' 1983 Fourth of July "Picnic in the Park":

1. The City of Modesto will provide twenty (20) chemical toilets for use in the Tuolumne River Regional Park for the "Picnic in the Park" on Sunday, July 3, 1983, and Monday, July 4, 1983.

2. The City of Modesto will provide eight (8) City workers to assist the Tuolumne River Regional Park personnel.

3. The City will provide police assistance as deemed necessary by the Chief of Police.

BE IT FURTHER RESOLVED that the following conditions shall apply to the request of the Modesto Jaycees relating to their 1983 fireworks display, parade and "Picnic in the Park":

1. The City of Modesto shall indemnify and hold harmless the Modesto Jaycees from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the ordinary and customary condition of City property and facilities, or which may arise out of the negligent acts or omissions of any officer, agent, or employee of the City of Modesto.

2. The Modesto Jaycees shall indemnify and hold harmless the City of Modesto, its officers, agents and employees, from any and all liability, costs, damages or injuries to persons or damage to property, which may arise out of or in any way be connected with the Jaycees' use of Del Webb Field and the streets and areas adjacent thereto for the Jaycees' Fireworks display and the use of City facilities for the Jaycees' parade and "Picnic in the Park".

3. The Jaycees shall furnish to the City Clerk of City current and valid certificates of insurance evidencing public liability and property damage insurance as shall protect the Jaycees and its agents and employees from claims for damages for bodily injury and property damage which may arise out of the Jaycees' use of Del Webb Field and the areas adjacent thereto for the Jaycees' fireworks display and the use of City facilities for the Jaycees' parade and "Picnic in the Park".

The amounts of public liability insurance shall be as follows:

Public liability insurance in an amount not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one occurrence because of bodily injury, sickness, and disease including death therefrom (hereafter called "bodily injury") sustained by any one person; and Five Hundred Thousand and no/100ths ($500,000.00) Dollars as the result of one or more occurrences because of "bodily injury", and insurance in an amount not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one or all occurrences for property damage.

The Jaycees' liability policies, and the valid certificates of insurance which are to be furnished to the City Clerk, shall contain contractual liability provisions stating that the policies are extended to cover the liability assumed by the Jaycees under the terms of this resolution, and the

liability policies, and the certificates of insurance to be furnished to City shall not permit cancellation of said insurance unless ten (10) days' prior written notice is furnished to the City Clerk of the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the Modesto Jaycees with a copy of this resolution. The Jaycees shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

M E M O R A N D U M

Date: April 1, 1983

TO: City Manager

FROM: Fire Chief

SUBJECT: Fireworks Display - July 4, 1983 - Del Webb Field

Pursuant to the provisions of Section 12648 of the Health and Safety Code of the State of California, I recommend a permit be granted with City Council approval as provided for in Section 12646 of the public display of fireworks to be conducted by the 4th of July Celebration Committee at Del Webb Field, July 4, 1983.

I recommend the permittee be required to provide the following safety measures as a condition for conducting the fireworks display.

1) The pyrotechnic operator shall be currently licensed by the State Fire Marshal.

2) Patrol personnel be provided to prevent the unlawful and dangerous discharge of legal and illegal fireworks on the Municipal Golf Course and on the Del Webb Field property by the general public.

3) Patrol personnel be provided to control the vehicular traffic in the area of the display.

4) Modesto Fire Department be authorized to provide fire patrol services in the fallout area utilizing six (6) off-duty Fire Department personnel and two (2) reserve fire engines.

5) Discharge of fireworks to be permitted only upon the approval of the Fire Marshal who will inspect the area prior to the actual discharging and will determine if compliance has been made with required safety regulations and the wind velocity is not exceeding the limits considered safe for this display.

6) The firing line and downrange area be barricaded and patrolled to prevent injury to spectators due to fallout of rocket components and short ground bursts.

Bruce Simons

Bruce Simons

BS/ss

Exhibit "A"

**MODESTO CITY COUNCIL**
**RESOLUTION NO. 83-164**

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO THE ZONING REGULATIONS OF THE MODESTO MUNICIPAL CODE RELATING TO OUTDOOR DISPLAY, SALES AND PROMOTIONS IN COMMERCIAL ZONES.

**WHEREAS, on** April 5 **, 19** 83 **, the City Council** introduced Ordinance No. 2180 **giving approval to a project relating to** an ordinance adding Sections 10-2.807, 10-2.907, 10-2.1007 and 10-2.2906 and amending Sections 10-2.802, 10-2.902, 10-2.1002 and 10-2.2904 of Chapter 2 of Title X of the Modesto Municipal Code relating to outdoor display, sales, and promotions in commercial zones **, and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an ordinance adding Sections 10-2.807, 10-2.907, 10-2.1007 and 10-2.2906 and amending Sections 10-2.802, 10-2.902, 10-2.1002 and 10-2.2904 of Chapter 2 of Title X of the Modesto Municipal Code relating to outdoor display, sales, and promotions in commercial zones.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-165

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO THE ZONING REGULATIONS OF THE MODESTO MUNICIPAL CODE RELATING TO SIGN REGULATIONS.

WHEREAS, on April 5, 1983, the City Council introduced Ordinance No. 2181-C.S. giving approval to a project relating to an ordinance amending Section 10-2.3510 of Chapter 2 of Title X of the Modesto Municipal Code relating to sign regulations, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an ordinance amending Section 10-2.3510 of Chapter 2 of Title X of the Modesto Municipal Code relating to sign regulations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-166

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(338).

WHEREAS, a verified application for an amendment to Section 29-3-9 of the Zoning Map was filed by Robert Jacobsen and Associates, Inc. on February 1, 1983, to reclassify from General Commercial Zone, C-2 to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the southwest quarter of Section 29, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

All of Lots 14, 15, and 16, City of Modesto, Block 61.

Including also all of the southwestern 40 feet of 10th Street, the northwestern 40 feet of "N" Street, and the northeastern 10 feet of the alley in said Block 61 and all immediately adjacent to the above described property.

WHEREAS, after public hearing held on March 7, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zone provides the same development allowed under current zoning except that condominium ownership will be possible.
2. The development plan conforms to all City development standards while maximizing off-street parking.

WHEREAS, after a public hearing held on April 5, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Robert Jacobsen and Associates, Inc. for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2182-C.S. on the 5th day of April, 1983, reclassifying the above-described property from General Commercial Zone, C-2 to Planned-Development Zone, P-D(338).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(338) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Gateway Office Condominiums, 1401 10th Street" as amended in red, stamped approved by the Planning Commission on March 7, 1983.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   6-foot decorative masonry wall along the northwest property line

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

6. All signs shall comply with the sign requirements of the C-2 Zone.

7. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

8. Prior to issuance of a building permit, the developer shall obtain approval of the proposed street tree relocation from the Director of Parks and Recreation.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (338):

The entire construction program be accomplished in one phase, construction to begin on or before May 1, 1983, and completion to be not later than May 1, 1986.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D ( 338 ) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norraine Coyle
NORRAINE COYLE, City Clerk

APPROVED AS TO FORM:

By E. Lynn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Michael C. Hanno
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-167

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 29-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

**WHEREAS, on** April 5, 1983, **the City Council** introduced Ordinance No. 2182-C.S. **giving approval to a project relating to** an amendment to Section Map 29-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from General Commercial Zone, C-2, to Planned Development Zone, P-D(338), **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 29-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from General Commercial Zone, C-2, to Planned Development Zone, P-D(338).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-168

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 2-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MILTON DAVID)

**WHEREAS, on** April 5, 1983, **the City Council** introduced Ordinance No. 2183-C.S. **giving approval to a project relating to** an amendment to Section Map 2-3-8 of the Zoning Map of the City of Modesto to reclassify a portion of Planned Development Zone, P-D(177), to Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 2-3-8 of the Zoning Map of the City of Modesto to reclassify a portion of Planned Development Zone, P-D(177), to Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-169

A RESOLUTION ACCEPTING THE BID OF AQUA-AEROBIC SYSTEMS, INC. FOR FURNISHING TEN POWER AERATORS

WHEREAS, Resolution No. 83-58, adopted by the Council of the City of Modesto on February 1, 1983 , approved the plans and specifications for the purchase of ten power aerators and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of ten power aerators were opened at 2:00 p.m. on March 1, 1983 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Aqua-Aerobic Systems, Inc. in the amount of $120,390 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Aqua-Aerobic Systems, Inc. in the amount of $120,390 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April , 1983 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-170

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF MUNCY PARK POOL

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of Muncy Park pool

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 19, 1983, at 11:10 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-171

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WATERLINE EXTENSION ON LONE PALM

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extension on Lone Palm

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 19, 1983, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-172

A RESOLUTION ACCEPTING THE BID OF L.M. ROBERTS CONSTRUCTION FOR THE PARKING LOT IMPROVEMENT AT AMERICAN LEGION HALL ON SOUTH SANTA CRUZ AVENUE

WHEREAS, Resolution No.83-114, adopted by the Council of the City of Modesto on March 1, 1983 , approved the plans and specifications for the parking lot improvement at American Legion Hall on South Santa Cruz Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the parking lot improvement at American Legion Hall on South Santa Cruz Avenue were opened at 11:00 a.m. on March 22, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of L.M. Roberts Construction in the amount of $35,928.60 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of L.M. Roberts Construction in the amount of $35,928.60 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April , 19 83, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-173

A RESOLUTION ACCEPTING THE BID OF STANFIELD AND MOODY FOR USTICK DRAINAGE AREA AND WATERLINE EXTENSION

WHEREAS, Resolution No.83-126, adopted by the Council of the City of Modesto on March 8, 1983 , approved the plans and specifications for the Ustick Drainage Area and waterline extension and authorized the calling for bids; and

WHEREAS, the bids received for the Ustick Drainage Area and waterline extension were opened at 11:00 a.m. on March 29, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Stanfield and Moody in the amount of $77,872.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Stanfield and Moody in the amount of $77,872.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April , 1983 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Whiteside , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-174

**A RESOLUTION ACCEPTING THE** EIGHT NEW BUS FAREBOXES AND AUTHORIZING PAYMENT TO GENERAL FAREBOX, INC.

**WHEREAS, a repcrt has been filed by the** Director of Parking and Traffic **that the** eight new bus fareboxes have been received from General Farebox, Inc.

**in accordance with the contract agreement dated** September 7, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the** eight new bus fareboxes

**be accepted from said contractor,** General Farebox, Inc., and that payment to General Farebox, Inc. in the amount of $25,296

**as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-175

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING HIGH PRESSURE SODIUM BALLASTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of high pressure sodium ballasts

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 26, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-176

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT A.C. LOVE, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim by Goeffrey C. Hutcheson on behalf of A.C. Love, against the City of Modesto was received on March 30, 1983, in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim by Goeffrey C. Hutcheson on behalf of A.C. Love, against the City of Modesto, received on March 30, 1983, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-177

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE MCHENRY-DRY CREEK FIRE PROTECTION DISTRICT

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the McHenry-Dry Creek Fire Protection District Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | Lang, Patterson |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

# CITY ANNEXATION QUESTIONNAIRE

1. Name of City: Modesto

2. Name of Proposed Annexation: McHenry-Dry Creek Fire Protection District

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

   No. The area north of M.I.D. Lateral No. 3 and Floyd Avenue, east of Oakdale Road, is in Modesto's Urban Reserve General Plan Area and cannot be served with public sewer or water at the present or in the near future. Also, it would not be possible to provide adequate fire protection with the City's existing equipment, manpower, and facilities.

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   It is requested that LAFCO require an E.I.R. to consider the environmental impacts resulting from inclusion of the agricultural area north of M.I.D. Lateral No. 3 and Floyd Avenue, east of Oakdale Road. Annexation would require a General Plan Amendment and possible premature removal of land from agricultural use. It could also lead to the need to extend two trunk sewer lines to serve the area.

   However, if the agricultural area is deleted we do not believe that an E.I.R. is needed.

5. Other comments the city would like to make.

   The City of Modesto supports the proposed annexation except for inclusion of the agricultural area which is outside of the urban area of our current General Plan. We object to inclusion of this area for the following reasons:

   1. The area is outside of Modesto's current sewer service area and in the General Plan Urban Reserve Area. This implies that the area should not be annexed until the area is needed for urban development and full urban services including sewer service can be provided.

   2. The primary reason for annexation of the area would be for fire service. However, Modesto does not have the type of pumper equipment needed to serve rural areas without a pressurized water and fire hydrant system.

   3. Two years ago, a portion of the area was included in the Measure A advisory election pertaining to the extension of a trunk sewer line into the area. The proposal was opposed by almost a two to one majority of the voters.

   4. During this year's urban growth review sessions, the City Council determined that there was not a current need for an additional growth area. Some 400 acres remain undeveloped in the adjacent Orchard Neighborhood. Consequently, no trunk sewer extension is being proposed at this time.

   5. Modesto is simply not geared to serve rural areas. We do not want to have rural service responsibilities for the same reasons that the County would like to rid itself of urban service responsibilities. Modesto does not even have an agricultural zone. Yet, agriculture is the predominant use in the area and will be for some time.

*It is requested that this area be removed from the annexation.* Since fire protection is the principal reason for this annexation, it would be more appropriate to consider annexation of the agricultural area to the Riverbank Fire District. They now serve the adjacent land to the north and east and are probably equipped to serve this area efficiently as long as it remains in agricultural use.

McHENRY-DRY CREEK
FIRE DISTRICT TERRITORIES

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-178

AMENDED
**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** JERRY E. AND REBECCA L. POWELL OMITTING THE HOLD-HARMLESS/INDEMNITY CLAUSE AND REQUIRING THAT THE CITY BE AN ADDITIONAL NAMED INSURED (MANCINI HOUSE)

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the/agreement between the City of Modesto and** Jerry E. and Rebecca L. Powell omitting the hold-harmless/indemnity clause in the leasing agreement and requiring that the City be an additional named insured, which would provide the City with full coverage on the Mancini House at 1204 River Road **be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-179

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** HYE INVESTMENTS FOR THE LEASE OF 401 H STREET WHICH IS BEING USED FOR THE HOUSING PROGRAM OFFICE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Hye Investments for the lease of 401 H Street which is being used for the Housing Program Office

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-180

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ROGER L. AND MARY A. GISH FOR THE LEASE OF FUTURE AQUEDUCT PARK SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Roger L. and Mary A. Gish for the lease of future Aqueduct Park site

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-181

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GUS J. AND GEORGIA J. PAPATONE AND Z.M.S. TEN FOR THE PURCHASE OF PROPERTY NEEDED FOR THE ROSELLE NEIGHBORHOOD SCHOOL/PARK SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Gus J. and Georgia J. Papatone and Z.M.S. Ten for the purchase of property needed for the Roselle Neighborhood School/Park site (approximately 12.8± acres)

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-182

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GUS J. AND GEORGIA J. PAPATONE FOR LEASE OF PROPERTY ACQUIRED FOR ROSELLE NEIGHBORHOOD SCHOOL/PARK SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Gus J. and Georgia J. Papatone for lease of property acquired for Roselle Neighborhood School/Park site

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-183

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** STANISLAUS COUNTY FOR THE RECONSTRUCTION OF SCENIC DRIVE FROM THE COUNTY HOSPITAL TO ROSE AVENUE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Stanislaus County for the reconstruction of Scenic Drive from the County hospital to Rose Avenue

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-184

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ROBERT GAUVREAU TO COMPILE A PHOTOGRAPHIC INVENTORY OF THE COLLECTIONS LOCATED IN THE MCHENRY MUSEUM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Robert Gauvreau allowing him to compile a photographic inventory of the collections located in the McHenry Museum

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-185

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE COUNTY OF STANISLAUS FOR ANNUAL RECREATION ALLOCATION

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the County of Stanislaus for annual recreation allocation for 1982-83 (County will allocate and transfer to the City $69,165.40 for expenditures by the City on community recreation)

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-186

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** OF NECESSITY TO ACQUIRE TWO RIGHT OF WAY PARCELS FROM RUDY AND MARY A. BONZI AND GARY E. AND BETTY J. BRIGHT NEEDED FOR THE PARADISE/ELLEN TO CARPENTER PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** May 3, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire two right of way parcels from Rudy and Mary A. Bonzi and Gary E. and Betty J. Bright needed for the Pardise/Ellen to Carpenter project.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April **, 19** 83 **, by Councilmember** Bright **, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside **, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-187

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** STANISLAUS COUNTY TO RECONSTRUCT AND WIDEN PARADISE ROAD FROM CARPENTER ROAD TO ELLEN AVENUE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Stanislaus County to reconstruct and widen Paradise Road from Carpenter Road to Ellen Avenue

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** April, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-188

A RESOLUTION APPROVING AN APPLICATION FOR SECOND YEAR FUNDING FOR THE MODESTO COMMUNITY CRIME RESISTANCE PROGRAM.

WHEREAS, the City of Modesto desires to undertake a certain project designated "Modesto Community Crime Resistance Program," to be funded in part from funds made available through State General Funds as authorized by Chapter 1291 of the 1982 Statutes for the California Community Crime Resistance Program, administered by the Office of Criminal Justice Planning (hereafter referred to as "OCJP"),

NOW, THEREFORE, BE IT RESOLVED that the City Manager of the City of Modesto is authorized on its behalf to submit the attached Application for Grant for Law Enforcement Purposes to OCJP and is authorized to execute on behalf of the City of Modesto the attached Grant Award for law enforcement purposes included any extensions or amendments thereof.

BE IT FURTHER RESOLVED that the applicant agrees to provide all matching funds required for said project, including any extension or amendment thereof, under the Community Crime Resistance Program and the rules and regulations of OCJP and that cash will be appropriated as required thereby.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant law enforcement expenditures controlled by the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Bright, who moved its adoption, which motion being

duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-189

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATION CREATED. The Position Classification Plan of the City of Modesto is amended to create the following new classification:

Historical Buildings Supervisor

The specification for the classification created, as shown on the attached Exhibit "A", which is hereby made a part of this resolution by reference, is hereby approved and made a part of the Position Classification Plan of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the

resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

# Historical Buildings Supervisor

## Definition

Under direction, to plan, promote, organize, and direct assigned programs and facilities, including the McHenry Museum, McHenry Mansion, and other historical buildings; to supervise the work of paid and volunteer personnel; and to do related work as required.

## Examples of Duties

Plans, promotes, organizes and directs programs and facilities for the McHenry Museum, McHenry Mansion, and other historical buildings; supervises, assigns, schedules, and evaluates paid and volunteer personnel; makes recommendations and implements approved plans for the restoration of historical buildings; makes recommendations on policy, procedures, and budgetary needs and implements those that are adopted; receives, reviews and acts on information, reports, and complaints submitted by staff or the public; works with organized community groups, historical buildings volunteer support groups, and committees in the promotion and organization of programs and facilities; does research and prepares recommendations on a variety of reports and special studies.

## Special Requirements

Possession of a valid license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## Employment Standards

Knowledge of:

- Principles of organization, management and administration of museums and historical structures;
- Completed staff work in oral and written presentations;
- Methods used in care, preservation, and conservation of historical artifacts and objects;
- Techniques and methods of restoration of historical buildings;
- Methods used in interpreting historical artifacts and objects, including exhibit design and audio-visual techniques;
- American history and decorative art (19th and 20th century);
- Recruiting community organizations and resources in developing an historical buildings program.

Ability to:

Plan, organize and supervise the activities of an historical buildings program;
Train paid and volunteer personnel;
Plan, promote, and evaluate historical buildings programs suitable to the City's needs;
Design and supervise construction of exhibits;
Analyze and interpret factual data;
Organize facts and assumptions;
Write reports with proper spelling and grammar, with well-organized thoughts and clear expression;
Speak effectively before small or large audiences;
Prepare completed staff work for oral and written presentations;
Schedule time and work under pressure;
Establish and maintain cooperative relations with co-workers, community leaders, and the general public.

Experience:

Two years of full-time work equivalent to administering an historical buildings program.

Education:

Equivalent to graduation from an accredited college or university, with a major in Museum Studies, or some closely related field. (A Master's degree in an appropriate field is highly desirable and may be substituted for one year of the required experience).

MODESTO CITY COUNCIL
RESOLUTION NO. 83-190

A RESOLUTION AMENDING EXHIBIT "G" OF RESOLUTION NO. 82-488 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 82-488. Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1982-83", attached to Resolution No. 82-488, is hereby amended as shown on the amended Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1982-83", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "G" adds the classification of Historical Buildings Supervisor, Range 426.0.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

# ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1982-83
(Effective 6-29-82, Amended 8-24-82, 12-28-82, 2-8-83, 3-8-83, 4-5-83)

| Range No. | Title of Classification |
|---|---|
| 114.5 | Account Clerk |
| 122.0 | Accountant I |
| 426.0 | Accountant II |
| 119.5 | Accounting Technician |
| 123.0 | Accounts Examiner |
| 426.0 | Administrative Analyst |
| 422.0 | Administrative Assistant |
| 429.0 | Airport Manager |
| 424.5 | Airport Maintenance Supervisor |
| 116.5 | Animal Control Officer I |
| 118.5 | Animal Control Officer II |
| 426.5 | Arborist |
| 633.0 | Assistant Chief of Police |
| 432.0 | Assistant City Attorney I |
| 435.0 | Assistant City Attorney II |
| 421.5 | Assistant City Clerk |
| 429.0 | Assistant Civil Engineer |
| 433.0 | Assistant Director of Parks & Recreation |
| 122.5 | Assistant Electrician |
| 426.0 | Assistant Planner |
| 428.0 | Assistant Property Agent |
| 427.0 | Assistant Risk Manager |
| 426.0 | Assistant Shop Supervisor |
| 432.0 | Associate Civil Engineer |
| 429.0 | Associate Planner |
| 426.0 | Budget Accountant |
| 122.0 | Building Inspector I |
| 125.0 | Building Inspector II |
| 426.5 | Building Maintenance Supervisor |
| 120.5 | Building Maintenance Worker |
| 434.0 | Chief Building Official |
| 429.0 | Chief Electrician |
| N/A | Chief of Police |
| 426.5 | Chief of Survey Party |
| N/A | City Attorney |
| N/A | City Clerk and Auditor |
| N/A | City Manager |
| 117.5 | Civil Engineering Technician I |
| 120.5 | Civil Engineering Technician II |
| 123.5 | Civil Engineering Technician III |
| 126.5 | Civil Engineering Technician IV |
| 113.5 | Clerk Typist |
| 713.6 | Clerk Typist (Y Rate) |
| 413.5 | Clerk Typist (Confidential) |
| 124.0 | Coach Mechanic |
| 122.0 | Code Enforcement Specialist |
| 422.0 | Collections Supervisor |
| 120.5 | Community Service Officer |
| 116.5 | Computer Operator |
| 125.0 | Construction Inspector |
| 427.0 | Cost Analyst |
| 123.0 | Crime Analyst |
| 114.5 | Data Entry Operator |
| 429.0 | Data Processing Manager |
| 427.0 | Deputy City Attorney I |
| 429.0 | Deputy City Attorney II |
| N/A | Deputy City Manager |
| 312.0 | Detective |
| N/A | Director of Engineering Services |
| N/A | Director of Finance |
| N/A | Director of Management Services |
| N/A | Director of Parking and Traffic |
| N/A | Director of Parks and Recreation |
| N/A | Director of Planning and Community Development |
| N/A | Director of Utility Services |
| 117.5 | Drafting Technician |

Exhibit "G"

ALPHABETICAL LISTING (Continued)

| Range No. | Title of Classification |
|---|---|
| 426.5 | Electrical Supervisor |
| 118.5 | Electrical Technician I |
| 120.5 | Electrical Technician II |
| 124.5 | Electrician |
| 127.0 | Engineering Computer Programmer |
| 122.5 | Equipment Crew Leader |
| 122.0 | Equipment Mechanic |
| 120.5 | Equipment Operator |
| 119.0 | Equipment Service Worker |
| 118.5 | Evidence and Property Specialist |
| 419.5 | Executive Secretary |
| 430.0 | Finance Division Manager |
| 529.0 | Fire Battalion Chief |
| N/A | Fire Chief |
| 211.0 | Fire Engineer |
| 123.0 | Fire Equipment Mechanic |
| 210.0 | Fire Fighter |
| 208.0 | Fire Fighter Trainee |
| 213.0 | Fire Lieutenant |
| 120.5 | Fire Prevention Technician |
| 426.0 | Historical Buildings Supervisor |
| 120.5 | Housing Conservationist |
| 122.0 | Housing Financial Specialist |
| 432.0 | Housing Program Officer |
| 122.0 | Housing Rehabilitation Specialist I |
| 125.0 | Housing Rehabilitation Specialist II |
| 122.0 | Industrial Waste Inspector I |
| 125.0 | Industrial Waste Inspector II |
| 116.5 | Janitor |
| 122.5 | Janitor Supervisor |
| 126.0 | Junior Civil Engineer |
| 122.5 | Laboratory Technician |
| 113.5 | Laborer (Unclassified) |
| 426.0 | Landscape Designer |
| 126.0 | Lead Coach Mechanic |
| 124.0 | Lead Equipment Mechanic |
| 417.5 | Legal Secretary |
| 120.5 | Maintenance Mechanic |
| 120.5 | Maintenance Mechanic - Pumps |
| 116.5 | Maintenance Worker I |
| 118.5 | Maintenance Worker II |
| 718.5 | Maintenance Worker II (Y Rate) |
| 113.5 | Maintenance Worker Trainee |
| 429.0 | Management Assistant |
| 120.5 | Meter Reader Repair Worker |
| 112.5 | Microfilm & Graphics Technician |
| 120.5 | Motor Sweeper Operator |
| 424.0 | Museum Supervisor |
| 122.5 | Nursery Propagator |
| 109.5 | Office Aide |
| 111.5 | Office Clerk |
| 411.5 | Office Clerk (Confidential) |
| 122.5 | Office Services Supervisor |
| 122.5 | Parking and Traffic Crew Leader |
| 429.0 | Parking and Traffic Superintendent |
| 120.5 | Parking Meter Worker |
| 120.5 | Parks Crew Leader |
| 720.5 | Parks Crew Leader (Y Rate) |
| 424.5 | Parks Maintenance Supervisor I |
| 426.5 | Parks Maintenance Supervisor II |
| 429.0 | Parks Superintendent |
| 432.0 | Personnel Manager |
| 421.5 | Personnel Technician |
| 126.5 | Plan Review Engineer |
| 426.5 | Plan Review Engineer (MGT Benefits) |
| 117.5 | Planning Technician I |
| 120.5 | Planning Technician II |
| 123.5 | Planning Technician III |
| 122.5 | Plant Mechanic |
| 424.5 | Plant Mechanical Maintenance Supervisor |
| 632.0 | Police Captain |
| 113.5 | Police Clerk |
| 630.0 | Police Lieutenant |

| Range No. | Title of Classification |
|---|---|
| 308.0 | Police Officer (Trainee Step) |
| 310.0 | Police Officer |
| 425.0 | Police Records Supervisor |
| 628.0 | Police Sergeant |
| 115.5 | Printing Services Operator |
| 113.5 | Printing Services Trainee |
| 123.0 | Programmer |
| 126.0 | Programmer Analyst |
| 426.0 | Programmer Analyst (MGT Benefits) |
| 430.0 | Property Agent |
| 116.5 | Property Control Aide |
| 124.0 | Public Services Inspector |
| 427.0 | Public Services Officer |
| 120.5 | Public Works Line Worker |
| 424.5 | Public Works Supervisor I |
| 426.5 | Public Works Supervisor II |
| 122.0 | Purchasing Assistant I |
| 124.0 | Purchasing Assistant II |
| 430.0 | Purchasing Officer |
| 112.5 | Receptionist |
| 712.6 | Receptionist (1 Rate) |
| 429.0 | Recreation Superintendent |
| 426.0 | Recreation Supervisor |
| 430.0 | Risk Manager |
| 417.5 | Risk Management Technician |
| 117.5 | Secretary |
| 417.5 | Secretary (Confidential) |
| 421.5 | Secretary to the City Attorney |
| 422.5 | Secretary to the City Manager |
| 116.5 | Senior Account Clerk |
| 428.0 | Senior Accountant |
| 126.5 | Senior Building Inspector |
| 119.5 | Senior Computer Operator |
| 419.5 | Senior Legal Secretary |
| 115.5 | Senior Microfilm & Graphics Technician |
| 416.5 | Senior Personnel Clerk |
| 423.5 | Senior Personnel Technician |
| 432.0 | Senior Planner |
| 115.5 | Senior Police Clerk |
| 118.5 | Senior Printing Services Operator |
| 120.5 | Senior Storeskeeper |
| 122.5 | Senior Wastewater Treatment Plant Operator |
| 116.5 | Senior Word Processing Technician |
| 429.0 | Shop Supervisor |
| 123.5 | Social Services Coordinator |
| 423.5 | Social Services Coordinator (MGT Benefits) |
| 114.5 | Stenographer Clerk |
| 118.5 | Storeskeeper |
| 428.5 | Supervising Building Inspector |
| 426.0 | Supervising Construction Inspector |
| 428.0 | Supervising Housing Rehabilitation Specialist |
| 429.0 | Transit Manager |
| 120.5 | Tree Trimmer |
| 122.5 | Tree Trimmer Crew Leader |
| 424.5 | Warehouse Supervisor |
| 118.5 | Wastewater Treatment Plant Attendant |
| 120.5 | Wastewater Treatment Plant Operator |
| 426.5 | Wastewater Treatment Plant Supervisor |
| 432.0 | Water Quality Control Superintendent |
| 125.0 | Water System Inspector |
| 419.5 | Word Processing Supervisor |
| 114.5 | Word Processing Technician |
| 113.5 | Word Processing Trainee |
| 425.0 | Zoning Inspector |

Totals: 13 City Manager, Department Heads
179 Other

192

MODESTO CITY COUNCIL
RESOLUTION NO. 83-191

A RESOLUTION GRANTING ADDITIONAL APPROVAL TO THE CINCO DE MAYO COMMITTEE FOR THE USE OF WEST SIDE PARK TO CELEBRATE CINCO DE MAYO.

WHEREAS, by Resolution No. 82-293 the Council granted approval to the Cinco de Mayo Committee for the use of West Side Park and for a parade to celebrate Cinco de Mayo on an annual basis in the City of Modesto, subject to certain conditions, and

WHEREAS, the Cinco de Mayo Committee in connection with its request for approval of its 1983 Cinco de Mayo celebration has made two requests in addition to those approved by Resolution No. 82-293, and

WHEREAS, the City staff has recommended that the City Council approve said two additional requests,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that in addition to the approvals and conditions set forth in Resolution No. 82-293 the Council hereby approves the following two requests:

1. The City of Modesto waives the rental fees for the use of Maddux Youth Center on the Saturday of Committee's Cinco de Mayo celebration.

2. The City of Modesto will provide two portable toilets in West Side Park on the Saturday of Committee's Cinco de Mayo celebration.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Bright, who moved its adoption, which motion being

duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-192

A RESOLUTION APPROVING APPOINTMENTS TO COUNCIL COMMITTEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Councilmembers are hereby appointed to the designated committees as shown on "Attachment A", to serve two-year terms.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

# COUNCIL COMMITTEES

## Two Year Terms*

| Committee | Member | Alternate |
|---|---|---|
| Air Service (Ad Hoc) | Mensinger<br>Muratore | |
| Appointments Committee | Mensinger, Chairperson<br>Patterson<br>Whiteside | Vice-Mayor |
| Cable Television Committee | Patterson, Chairperson<br>Whiteside | |
| Chamber of Commerce Board of Directors Liaison | Patterson | Sutton |
| Central California Mortgage Authority | Mensinger<br>Bright | |
| Cities-County Committee | Sutton<br>Whiteside | Mensinger |
| Council-Supervisors Liaison Committee | Mensinger<br>Muratore | |
| Downtown Renaissance Committee | Mensinger, Chairperson<br>Lang<br>Sutton | Whiteside |
| Housing & Community Development Committee | Lang, Chairperson | |
| Housing Maintenance and Counseling Sub-Committee | Bright, Chairperson | |
| Housing Loan Pool Sub-Committee | Patterson | |
| Independent Auditor's Selection Committee | Bright<br>Sutton | |
| League of California Cities/Central Valley Division Executive Committee | Bright<br>Lang | |
| Public Projects Committee | Bright, Chairperson<br>Lang<br>Sutton | |
| Sister-City Committee Liaison | Patterson | Whiteside |
| Solid Waste Committee | Lang<br>Muratore | |
| Stanislaus Area Association of Governments | Lang<br>Muratore<br>Whiteside | Bright<br>Mensinger<br>Patterson<br>Sutton |
| Stanislaus County Manpower Planning Advisory Board | Patterson | Whiteside |
| Transportation and Traffic Committee | Muratore, Chairperson<br>Whiteside | |
| Tuolumne River Regional Park Committee | Mensinger<br>Bright | |

*Except alternate for Appointments Committee

MODESTO CITY COUNCIL
RESOLUTION NO. 83-193

A RESOLUTION COMMENDING AND CONGRATULATING MODESTO HIGH SCHOOL BASKETBALL COACHES AND PLAYERS ON REACHING THE PLAYOFFS OF THE NORTHERN CALIFORNIA REGIONAL CHAMPIONSHIPS

WHEREAS, the Modesto High School "Panthers" Basketball Team has a 1983 season record of 28 victories and 5 losses, including a 12-0 undefeated record in the Valley Oak League; has earned the Modesto City Schools and the Sac-San Joaquin Section Campionship; and advanced to the playoffs of the Northern California Regional Championships.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby extends its commendations and congratulations to coaches Wayne McGhee and Paul Abby and all of the players and staff of the Modesto High School "Panthers" Basketball Team who are responsible for these notable records of accomplishment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-194

A RESOLUTION REAFFIRMING MODESTO'S CONTINUING SISTER CITY AFFILIATION WITH BARRANQUILLA, COLUMBIA

WHEREAS, Modesto has had a Sister City affiliation with Barranquilla, Columbia for more than twenty years, during which time there have been exchanges, visits and projects to encourage friendship and understanding between the two cities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto reaffirms its continuing Sister City association with Barranquilla, Columbia and expresses its appreciation to Senior Louis Eduardo Giraldo for his special presentation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-195

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE STANISLAUS COUNTY HOUSING AUTHORITY AUTHORIZING THEM TO MONITOR A MULTI-FAMILY MORTGAGE REVENUE BOND ISSUE FOR WESTDALE COMMONS

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Stanislaus County Housing Authority, authorizing them to monitor a multi-family mortgage revenue bond issue for Westdale Commons

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** April, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL

RESOLUTION NUMBER 83-196

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO AUTHORIZING THE SALE OF NOT TO EXCEED $7,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF MODESTO MULTIFAMILY RENTAL HOUSING REVENUE BONDS, 1983 ISSUE, ESTABLISHING AFFORDABLE RENTS, AND APPROVING AND AUTHORIZING THE EXECUTION OF RELATED DOCUMENTS, AGREEMENTS AND ACTIONS.

WHEREAS, Chapter 7 of Part 5 of Division 31 of the Health and Safety Code of the State of California (the "Act") authorizes the City of Modesto to issue multifamily residential mortgage revenue bonds for the purpose of making loans or otherwise providing funds to finance the development of affordable multifamily rental housing in order to meet a substantial housing need identified in the community; and

WHEREAS, on March 15, 1983, the City Council of the City of Modesto (the "City") adopted Resolution No. 83-143, determining the necessity of financing a residential rental project by Westdale Commons, a limited partnership, as described in Exhibit A to such resolution; and

WHEREAS, the City Council has now determined to provide financing through the issuance of revenue bonds for such residential rental project (the "Development") for the purpose of providing housing for low or moderate income persons or families, and the Development is to be located within the City; and

WHEREAS, to finance the Development, the City intends to issue not to exceed seven million dollars ($7,000,000) aggregate principal amount of its Multifamily Rental Housing Revenue Bonds, 1983 Issue A (State Savings and Loan Association Certificate of Deposit Program) (the "Bonds") pursuant to the Act; and

WHEREAS, Dean Witter Reynolds Inc. (the "Underwriter") has expressed its intention to purchase the Bonds, and the City Council finds that the public interest and necessity require that the City at this time make arrangements for the sale of the Bonds; and

WHEREAS, the Act requires that 20% of the total number of units in the Development shall be for occupancy by lower income households, with one-half of such units to be occupied by very low income households to the extent this City Council determines to be feasible, all at affordable rents, and the City Council has considered certain proposals

concerning the feasibility of holding such units for occupancy by very low income households and establishing affordable rents for all such units; and

WHEREAS, pursuant to Section 103(k) of the Internal Revenue Code, as amended (the "Code"), the Bonds are required to be approved, by an elected representative of the issuer of the Bonds, following a public hearing; and

WHEREAS, this City Council is the elected legislative body of the City; and

WHEREAS, the Development is located wholly within the City; and

WHEREAS, the City Council caused a notice to appear in The Modesto Bee, which is a newspaper of general circulation in the City, on March 21, 1983, to the effect that a public hearing would be held by the City Council on April 5, 1983 regarding the issuance of the Bonds and the nature and location of the Development; and

WHEREAS, the City Council held said public hearing on such date, at which time an opportunity was provided to present arguments both for and against the issuance of the Bonds and the nature and location of the Development;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

Section 1. Each of the foregoing recitals is correct and is certified to be a representation of the City.

Section 2. Pursuant to Section 103(k) of the Code, the City Council hereby approves the issuance of the Bonds to finance costs of the Development. It is the purpose and intent of the City Council that this resolution constitute approval of the issuance of bonds by the applicable elected representative of the issuer in accordance with said Section 103(k).

Section 3. The City Council, after consideration of information presented to it by staff and others, hereby finds and determines that it is not feasible to hold 10% of the units in the Development open for occupancy by very low-income households.

Section 4. Based upon the information presented to this City Council as to the affordability of rents to be charged, the City hereby finds and determines, in accordance with Section 52080 of the

Health and Safety Code of the State of California, that not to exceed 30% of 80% of median area income, as determined by the United States Department of Housing and Urban Development, adjusted for family size as set forth herein, constitutes affordable rents for 20% of the units of the Development for occupancy by lower income households. The adjusted family size shall be a two-person family for one-bedroom units and a four-person family for two-bedroom units.

Section 5. The proposed form of indenture (the "Indenture"), by and between the City and Security Pacific National Bank, as Trustee, substantially in the form submitted to this meeting, is hereby approved, and the proper officers of the City are hereby authorized and directed to execute and deliver, for and in the name of and on behalf of the City, said Indenture with such additions, changes and corrections as said proper officers may approve upon consultation with the City Attorney or his authorized deputy (hereinafter "City Attorney") and with Bond Counsel, such approval to be conclusively evidenced by the execution of said Indenture with such additions, changes or corrections.

The date, maturity dates, interest rate or rates, interest payment dates, denominations, form, registration privileges, manner of execution, place of payment, terms of redemption and other terms of the Bonds shall be as provided in the Indenture as finally executed; provided however, that the interest rate on the Bonds shall not exceed nine and one-half percent (9-1/2%).

Section 6. Security Pacific National Bank, of Los Angeles, California, is hereby appointed to act as Trustee under the Indenture with the duties and powers of such Trustee as set forth in the Indenture.

Section 7. The proposed form of Purchase Agreement (the "Purchase Agreement"), between the City, State Savings and Loan Association (the "Lender") and Westdale Commons (the "Developer") and the Underwriter, presented to this meeting, is hereby approved in substantially the form so submitted, and the proper officers of the City are hereby authorized and directed to execute and deliver, for and in the name and on behalf of the City, said Purchase Agreement with such additions, changes and corrections as said proper officers may approve upon consultation with the City Attorney and Bond Counsel, such approval to be conclusively evidenced by the execution of said Purchase Agreement with such additions, changes or corrections.

Section 8. The proposed form of the Bonds, substantially in the form set forth in the Indenture, is hereby approved, and the proper officers of the City are hereby authorized and directed to execute, and the Trustee is hereby authorized and directed to authenticate and deliver, the Bonds in an aggregate principal amount not to exceed $7,000,000 to the Underwriter in accordance with the Purchase Agreement and the Indenture. Such Bonds may be delivered in temporary from pursuant to Section 2.07 of the Indenture, if in the judgment of the City delivery in such form is necessary or appropriate until Bonds in definitive form can be prepared.

Section 9. The proposed form of Certificate of Deposit Agreement by and among the City, the Trustee and the Lender, substantially in the form submitted to this meeting, is hereby approved, and the proper officers of the City are hereby authorized and directed to execute and deliver, for and in the name of and on behalf of the City, a Certificate of Deposit Agreement in such form with the Lender, with such additions, changes and corrections as said proper officers may approve upon consultation with the City Attorney and Bond Counsel, such approval to be conclusively evidenced by the execution of said Certificate of Deposit Agreement with such additions, changes or corrections.

Section 10. The proposed form of Project Development Agreement among the City, the Trustee, the Lender and the Developer, substantially in the form submitted to this meeting, is hereby approved, and the proper officers of the City are hereby authorized and directed to execute and deliver, for and in the name and on behalf of the City, said Project Development Agreement with such additions, changes and corrections as said proper officer may approve upon consultation with the City Attorney and Bond Counsel, such approval to be conclusively evidenced by the execution of said Project Development Agreement with such additions, changes or corrections.

Section 11. The proposed form of Regulatory Agreement by and between the City, the Trustee, the Lender and the Developer, substantially in the form submitted to this meeting, is hereby approved, and the proper officers of the City are hereby authorized and directed to execute and deliver, for and in the name and on behalf of the City, said Regulatory Agreement with such additions, changes or corrections as said proper officer may approve upon consultation with the City Attorney and Bond Counsel, such approval to be conclusively evidenced by the execution of said Regulatory Agreement with such additions, changes or corrections.

Section 12. The form of Official Statement, substantially in the form presented to this meeting, is hereby approved, and the City Council hereby approves and authorizes the distribution of said Official Statement to the purchasers of the Bonds. The proper officer of the City is hereby authorized to execute and deliver such Official Statement with such additions and changes as said proper officer shall approve upon consultation with the City Attorney, such approval to be conclusively evidenced by the execution of said Official Statement with such additions, changes or corrections.

Section 13. All actions heretofore taken by the officers and agents of the City with respect to the sale and issuance of the Bonds are hereby approved, confirmed and ratified, and the officers of the City are hereby authorized and directed, for and in the name and on behalf of the City, to do any and all things and take any and all actions and execute and deliver any and all certificates, agreements and other documents, including but not limited to those described in the Purchase Agreement, which they, or any of them, may deem necessary or advisable in order to consummate the lawful issuance and delivery of the Bonds in accordance with the Act and this ordinance.

Section 14. This resolution shall take effect immediately upon adoption.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney



040358-0003-161-1983f

MODESTO CITY COUNCIL
RESOLUTION NO. 83-197

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO MULTI-FAMILY MORTGAGE REVENUE BONDS (WESTDALE COMMONS)

WHEREAS, on April 5, 1983, the City Council held a public hearing to consider issuance of up to $7,000,000 of Multi-family Mortgage Revenue Bonds, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to issuance of up to $7,000,000 of Multi-family Mortgage Revenue Bonds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-198

A RESOLUTION APPROVING A REQUEST BY PRIME PRODUCTIONS, INC. FOR A TRAFFIC FLOW AND PARKING PLAN FOR A PROPOSED "ICE CREAM JUBILEE" TO BE HELD IN THE TUOLUMNE RIVER REGIONAL PARK.

WHEREAS, Prime Productions, Inc. is proposing to hold an "Ice Cream Jubilee" in the Tuolumne River Regional Park on June 18, 1983, and

WHEREAS, traffic to and from and parking for said "Ice Cream Jubilee" will impact residents of the City of Modesto in the vicinity of the Tuolumne River Regional Park, and the Modesto City-County Airport/Harry Sham Field, and

WHEREAS, the Tuolumne River Regional Park Committee has indicated its willingness to approve the holding of said "Ice Cream Jubilee" in the Tuolumne River Regional Park on June 18, 1983 subject to certain conditions, including a requirement that Prime Productions, Inc. obtain approval from the City of Modesto for a traffic flow and parking plan for said "Ice Cream Jubilee" for the traffic and parking which will occur in the City of Modesto outside the limits of the Tuolumne River Regional Park, and

WHEREAS, the City's staff has reviewed Prime Productions, Inc.'s traffic flow and parking plan and has recommended that this council approve said plan, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the traffic flow and parking plan submitted by Prime Productions, Inc. and attached hereto as Exhibit "A" subject to the following conditions:

1. Only one row of cars will be parked inside the Airport parking lot immediately adjacent to the curb and one row of parking will be used on both sides of Tioga Avenue as shown on the attached Airport Layout Plan which is attached hereto as Exhibit "B".

2. Prime Productions, Inc. will be permitted to use the parking inside the Airport only upon payment of a fee to be determined by the City Manager and signing a hold harmless agreement in a form satisfactory to the City Attorney.

3. The approval given by this resolution for Prime Productions, Inc.'s traffic flow and parking plan does not constitute approval for use of the Tuolumne River Regional Park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Prime
PRODUCTIONS · INC.

1500 J St. Modesto, CA 95354 209 577-2534

TO: Mayor/City Council

FROM: Keith D. Vogt, Prime Productions, Inc.

DATE: April 5, 1983

RE: Follow-Up to Letter of March 22, 1983

After conferring with the Parks and Recreation, Traffic and Police Departments, I am submitting the following parking plan for Modesto's first Ice Cream Jubilee, 12-6 p.m., June 18, 1983.

Traffic entering on Santa Cruz from the north would proceed to Legion Park Drive and enter the park from the south. When the lots are full inside the Park, cars will begin parking diagonal along the north side of Legion Park Drive. Cars exiting the Park will turn north and travel Tioga to Monterey Avenue or continue north on Tioga.

Traffic entering from Tenaya would go south on Canejo to Tioga. At Monterey traffic will turn west on Monterey to Santa Cruz and enter the Park from Legion Park Drive. When the lots in the Park and diagonal parking is full along Legion Park Drive, the lots at the airport and diagonal parking on the west side of Tioga will be used. Exiting traffic from the airport or along Tioga will use Monterey Avenue to northbound streets.

Monitors will be stationed along all routes to assist drivers, but will not direct traffic. We request your permission to execute this traffic and parking plan for the Ice Cream Jubilee.

Exhibit "A"

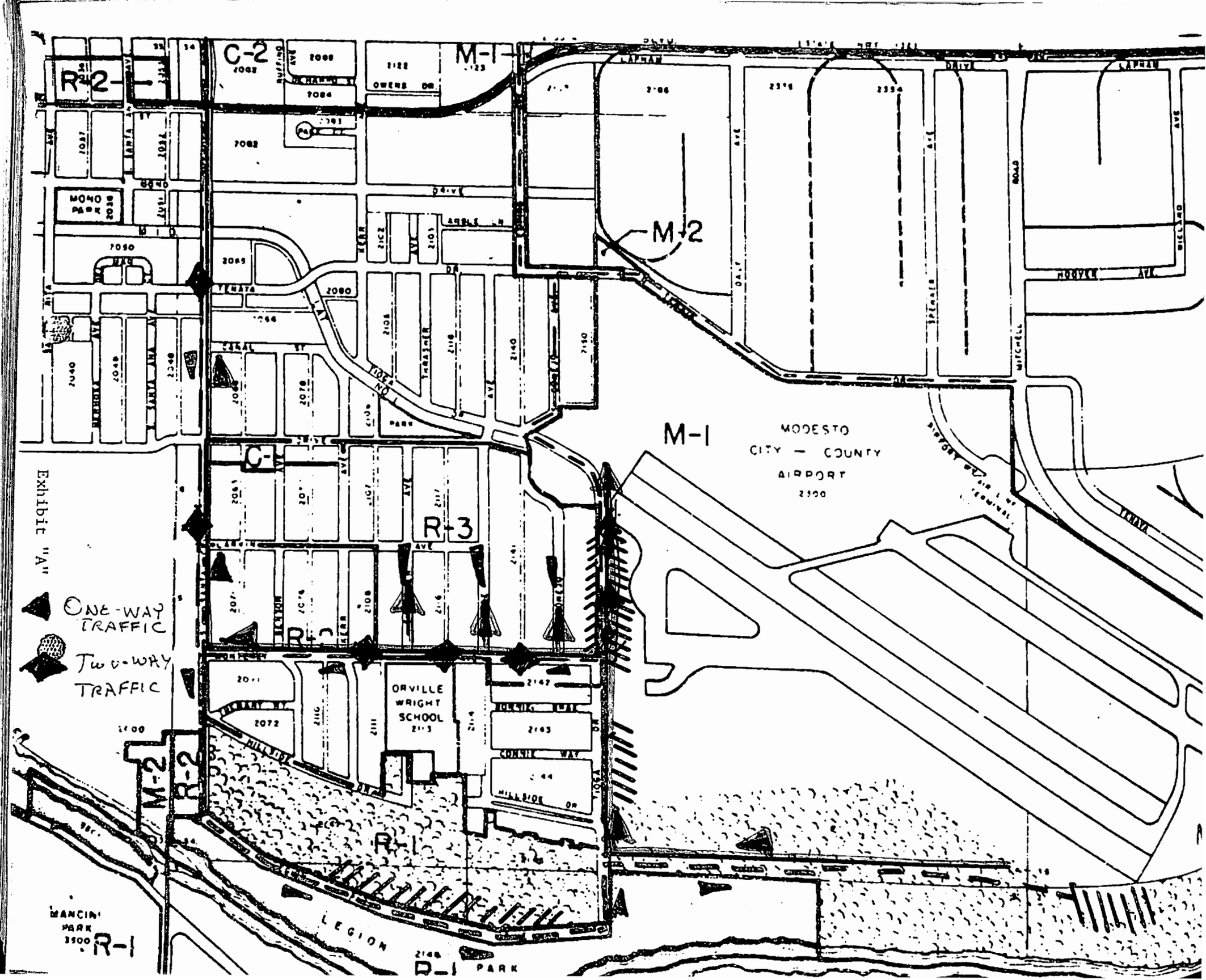
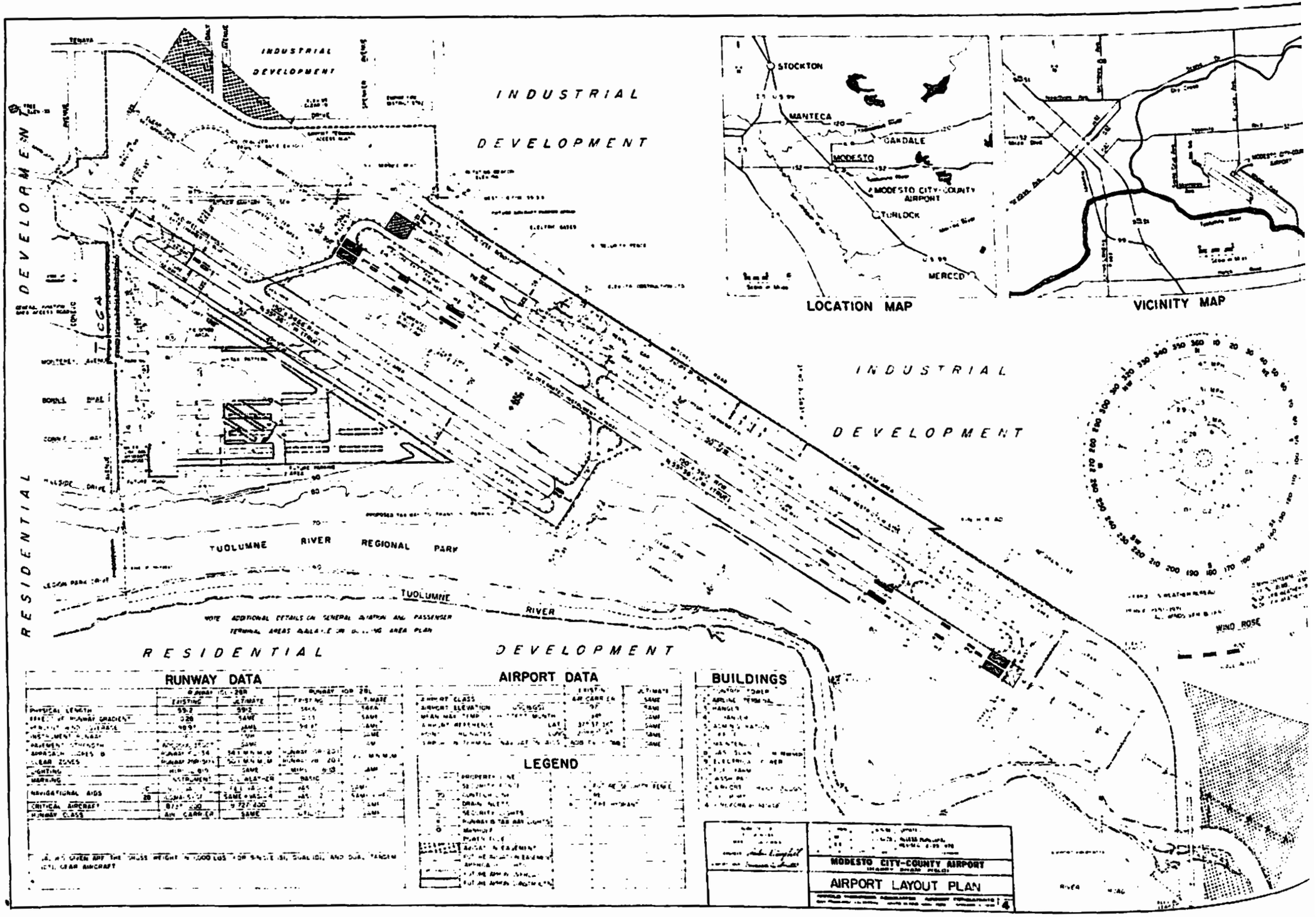


Exhibit "A"
ONE-WAY TRAFFIC
TWO-WAY TRAFFIC
C-2
M-1
M-2
R-2
R-3
C-1
R-1
MODESTO CITY — COUNTY AIRPORT
ORVILLE WRIGHT SCHOOL
MANCINI PARK
LEGION PARK
MONO PARK
DALE ROAD
HOOVER AVE
MITCHELL
TENAYA
ASPHALT
DRIVE
OWENS DR
HILLSIDE DR
CONNIE WAY

SAT JUNE 1st 12-6 PM

Exhibit "B"



MODESTO CITY COUNCIL
RESOLUTION NO. 83-199

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES FOR EASEMENTS FOR A BICYCLE TRAIL. (FARRELL/CAPOBIANCO)

(Name of Project and Property Owners Name)

WHEREAS, on March 15, 19 83, the Council of the City of Modesto by Resolution No. 83-140 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on April 12, 19 83, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of a bicycle trail,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 1240.110(a) and 1240.510 of the Code of Civil Procedure, Sections 37350, 37350.5, 37351, 39792 and 40404 of the Government Code, and Article I, §19 of the Constitution of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

5. The real property which is hereinafter described is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

Parcel A (Farrell)

All that certain real property situated in a portion of the Southwest quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the interior quarter Section corner of said Section 27; thence along the North-South quarter Section line of said Section 27, South 00° 33' 03" East, 20.00 feet to the true point of beginning of this description; thence South 57° 24' 16" West, 32.20 feet; thence South 89° 41' 00" East, 27.30 feet to a point on the North-South quarter Section line of Section 27; thence along said North-South quarter Section line, North 00° 33' 03" West, 17.50 feet, to the point of beginning.

Parcel B (Capobianco)

All that portion of the Southeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the interior quarter section corner of said Section 27, said point being the Northwestern corner of property conveyed to Mike Capobianco and Lena Capobianco, husband and wife, by Deed recorded April 26, 1948, as Instrument 9124, Stanislaus County Records; thence along the East-West quarter section line of Section 27 and the Northern line of said Capobianco property, South 89° 41' 00" East, 31.20 feet, to the true point of beginning of this description; thence continuing along said East-West quarter section line, South 89° 41' 00" East, 45.30 feet; thence South 57° 24' 16" West, 69.01 feet; thence North 89° 41' 00" West, 3.00 feet; thence South 00° 33' 03" East, 10.00 feet; thence North 89° 41' 00" West, 15.00 feet, to a point on the North-South quarter section line of Section 27; thence along said North-South quarter section line, North 00° 33' 03" West, 27.50 feet; thence North 57° 24' 16" East, 36.80 feet, to the point of beginning.

Containing 0.037 of an acre, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved it adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Engineering Department

MODESTO CITY COUNCIL
RESOLUTION NO. 83-200

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 80-1251 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(285)."

WHEREAS, the City Council, by Ordinance No. 2002-C.S. which was introduced on December 9, 1980, finally adopted on December 16, 1980, and which became effective on January 15, 1981, amended Section 16-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(285), property located on the south side of Norwegian Avenue east of McHenry Avenue in the City of Modesto, to allow a two-story, 9 unit townhouse condominium complex, and

WHEREAS, City Council Resolution No. 80-1251 which was adopted on December 9, 1980, approved the development plan for P-D(285) and contained the conditions of approval thereof, and

WHEREAS, a verified application was filed by Fred A. Earle III, Inc., on February 1, 1983 for an amendment to Planned Development Zone, P-D(285) to allow an 8 unit one and two-story townhouse condominium project, and

WHEREAS, said application was set for a public hearing before the Planning Commission on March 7, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 83-32, found and determined that an amendment to Planned Development Zone, P-D(285) to allow an 8 unit one and two-story townhouse condominium project is required by public necessity, convenience, and general welfare for the following reasons:

1. The proposed dwelling unit density is within the limits established for the property by the Standiford Neighborhood Zoning and Development Policy adopted by the Planning Commission in August 1971.

2. The new development plan reducing from 9 to 8 dwelling units allows building design for solar advantages.

and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on April12, 1983, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to P-D(285) to allow an 8 unit one and two-story townhouse condominium project is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 83-32, and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 80-1251 entitled "A Resolution Approving A Development Plan for Planned-Development Zone, P-D(285)" are hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(285) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan and floor plans titled "Modesto Racquet Club Townhouses" as amended in red, stamped approved by the Planning Commission on March 7, 1983.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. 8-foot decorative masonry wall along the south property line

   b. 7-foot solid wall or fence along the west property line and around all patio areas

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

6. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

7. All utilities shall be underground and cable television shall be stubbed into all units.

8. All signs shall comply with the sign requirements of the R-2 zone

9. Prior to the issuance of a building permit for any structure, subdivision map shall be recorded."

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(285):

> The entire construction program shall be accomplished in one phase, construction to begin on or before January 1, 1984, and completion to be not later than January 1, 1985."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-201

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (FRED A. EARLE III, INC.)

WHEREAS, on April 12, 1983, the City Council introduced Ordinance No. 2184-C.S. giving approval to a project relating to an amendment to Section Map 16-3-9 of the Zoning Map of the City of Modesto to rezone a portion of Planned Development Zone, P-D(45) to Planned Development Zone, P-D(285), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 16-3-9 of the Zoning Map of the City of Modesto to rezone a portion of Planned Development Zone, P-D(45) to Planned Development Zone, P-D(285).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-202

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 24-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

WHEREAS, on April 12, 1983, the City Council introduced Ordinance No. 2185-C.S. giving approval to a project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(204), to Low Density Residential Zone, R-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(204), to Low Density Residential Zone, R-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-203

A RESOLUTION ACCEPTING THE BID OF P.E. O'HAIR AND COMPANY FOR FURNISHING 22 BACKFLOW PREVENTORS

WHEREAS, Resolution No. 83-85, adopted by the Council of the City of Modesto on February 15, 1983 , approved the plans and specifications for the purchase of 22 backflow preventors and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of 22 backflow preventors were opened at 2:00 p.m. on March 15, 1983 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of P.E. O'Hair and Company in the amount of $24,456.37 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of P.E. O'Hair and Company in the amount of $24,456.37 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April , 1983 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-204

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** BIG FOOT REMNANT SHOP FOR THE ACQUISITION OF 0.03± ACRE OF THEIR PROPERTY NEEDED FOR THE SCENIC/COUNTY HOSPITAL TO SUNNYSIDE PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Big Foot Remnant Shop for the acquisition of 0.03± acre of their property needed for the Scenic/County Hospital to Sunnyside project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** April, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-205

A RESOLUTION APPROVING A REQUEST FROM THE SYLVAN UNION SCHOOL DISTRICT FOR AN INCREASE IN THE UTILITY RATE PAID BY CITY FOR CITY'S USE OF THE SOMERSET MULTIPURPOSE FACILITY.

WHEREAS, an agreement was entered into on April 10, 1978 between the CITY OF MODESTO (CITY) and the SYLVAN UNION SCHOOL DISTRICT (DISTRICT) for the operation and use of a multipurpose facility at Somerset Junior High School, and

WHEREAS, said agreement required CITY to pay a certain rate for the costs of gas and electricity during the hours it uses the multipurpose facility and provides for periodic adjustments thereto, and

WHEREAS, CITY has received a request from DISTRICT for a rate increase from $1.00 to $2.10 per hour, and

WHEREAS, said request accurately reflects the increase in utility costs paid by DISTRICT,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that CITY agrees to pay for all gas and electricity during the hours it uses the multipurpose facility at Somerset Junior High School at the rate of $2.10 per hour.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the

resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-206

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** BE-AMADIN INVESTMENTS CO. FOR REIMBURSEMENT OF SEWER COSTS INCURRED BY BE-AMADIN INVESTMENTS CO.

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Be-Amadin Investments Co. providing for the City to reimburse him as monies are collected from adjacent property owners for sewer lateral which serves property other than his own

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** April, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-207

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE INTERNATIONAL CITY MANAGERS' ASSOCIATION/RETIREMENT CORPORATION (ICMA/RC) TO ADMINISTER A NEW INVESTMENT PROGRAM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** The International City Managers' Association/Retirement Corporation (ICMA/RC) to administer a new investment program

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** April, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-208

AMENDED
**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** CALIFORNIA FEDERAL SAVINGS AND LOAN ASSOCIATION (CAL-FED) TO PROVIDE FOR IMPROVED INVESTMENT TERMS

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** California Federal Savings and Loan Association (Cal-Fed) to provide for improved investment terms

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** April**, 19**83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-209

A RESOLUTION AMENDING AND RESTATING THE MANDATORY DEFERRED COMPENSATION PLAN FOR CERTAIN EMPLOYEES OF THE CITY OF MODESTO, AND SUPERSEDING RESOLUTION NO. 81-1139.

WHEREAS, this Council by Resolution No. 81-1139, adopted on December 15, 1981, amended and restated the Mandatory Deferred Compensation Plan for certain employees of the City of Modesto, and

WHEREAS, the Council desires to amend the Mandatory Deferred Compensation Plan and to restate the Plan in full, as amended hereby,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto's Mandatory Deferred Compensation Plan for certain employees of the City of Modesto is hereby amended and restated in its entirety as follows:

SECTION 1. There is hereby established a Mandatory Deferred Compensation Plan (herein referred to as the "Plan") for the hereinafter designated employees of the City of Modesto. Except as otherwise provided herein, said Plan shall be operative effective July 4, 1978.

SECTION 2. Effective July 4, 1978, all employees of the City of Modesto who hold salaried positions of employment, except sworn fire and police officers, shall have 2% of their gross regular salary each pay period deferred until said employee retires or otherwise terminates employment with the City of Modesto. In addition thereto, the City of Modesto shall pay into said Mandatory Deferred Compensation Plan, each pay period for each such employee, an amount equal to 1% of each such employee's gross regular salary. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

SECTION 3. Effective June 30, 1981, the City of Modesto shall also pay into said Mandatory Deferred Compensation Plan each pay period:

A. For each employee of the City of Modesto who holds a salaried position of employment in the classifications of Police Officer and Detective and who does not subscribe for health insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the amount paid by the City of Modesto toward the cost of health insurance coverage for dependents for the employees in said classifications of Police Officer and Detective who subscribe for health insurance coverage for dependents for which the City pays the premiums. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

B. For each employee of the City of Modesto who holds a salaried position of employment, except employees in the classifications of Fire Fighter, Fire Engineer, Fire Lieutenant, Police Officer, Detective, and those employees in classifications and positions designated as Management and Confidential, and who subscribes for employee health and dental insurance coverage under the City's group health and dental insurance plans, and who does not subscribe under said plans for health and dental insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the amount paid by the City of Modesto for health and dental insurance coverage for dependents for the employees in the classifications covered by this Paragraph B who subscribe for health and dental insurance coverage for dependents under the City's group health and dental insurance plans. Provided, however, that no such employee shall be eligible to receive said amount paid

into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

C. For each employee of the City of Modesto who holds a salaried position of employment, except employees in the classifications of Fire Fighter, Fire Engineer, Fire Lieutenant, Police Officer, Detective, and those employees in classifications and positions designated as Management and Confidential, and who subscribes for employees health and dental insurance coverage under the Operating Engineers Union Local No. 3 group health and dental insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the total amount the City pays for health and dental insurance for an employee and the employee's dependents under the City's group health and dental insurance plans less the cost of health and dental insurance for an employee only under the Operating Engineers Union Local No. 3 group health and dental insurance plan for which the City pays the premium. Provided however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

D. For each employee of the City of Modesto who holds a salaried position of employment in a classification or position designated as Management or Confidential, except Fire Battalion Chief, and who does not subscribe for health and dental insurance coverage for said employee's dependents under the City's group health and dental insurance plans, an amount equal to the amount paid by the City of Modesto for health and dental insurance coverage for dependents for the employees in said classifications and positions who subscribe for health and dental insurance coverage for dependents under the City's group health and dental insurance plans. Provided, however, that no

such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

E. For each employee of the City of Modesto who holds a salaried position of employment in the classification of Fire Battalion Chief, and who does not subscribe for health and dental insurance coverage for said employee's dependents under the City's group health and dental insurance plans, an amount equal to the amount paid by the City of Modesto for dental insurance coverage for dependents for the employees in said classification of Fire Battalion Chief who subscribe for dental insurance coverage for dependents under the City's group dental insurance plan. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

SECTION 4. Except as provided in Section 5 hereof, the maximum permitted deferral of includable compensation in any one taxable year for any employee shall not exceed the lesser of (a) $7,500, or (b) 33 1/3% of the employee's includable compensation as that term is defined by the Internal Revenue Service Regulations governing deferred compensation plans.

SECTION 5. During the last three taxable years before the employee reaches the following applicable age:

| | | |
|---|---|---|
| A. | All Fire Department employees with safety membership in the Public Employee's Retirement System | - age 50 |
| B. | All Police Department employees with safety membership in the Public Employee's Retirement System | - age 55 until June 30, 1986<br>- age 50 after July 1, 1986 |

or at the employee's option in any three taxable years thereafter, the maximum permitted deferral of includable compensation in any one taxable year shall be the lesser of (a) $15,000 or (b) the sum of $7,500 and so much of the maximum permitted deferral established for taxable years before the three taxable years as has not been previously deferred. The years in which this provision is to apply shall be designated in advance by a written request from the employee to the Director of Finance.

SECTION 6. Each employee covered by the Plan shall be deemed to have agreed to each of the provisions hereof, and specifically to the deferral of salary as provided by the Plan. Deferral of salary for employees hired subsequent to the adoption of this Plan shall begin immediately upon hire of said employees.

SECTION 7. There is hereby established a Mandatory Deferred Compensation Committee to administer the Plan established hereby. The Committee shall consist of three persons to be appointed by and serve at the pleasure of the City Manager, one of whom shall be appointed by the City Manager to be its Chairman. The Committee shall have such powers and duties as may be given to it by this resolution, or as may be necessary in order to carry out the provisions of agreements with depositaries entered into from time to time. It shall also have such further powers and duties as may be delegated to it from time to time by the City Council.

Persons who are currently members of the Mandatory Deferred Compensation Committee as established by Resolution No. 78-915, shall continue in office, and shall serve at the pleasure of the City Manager as though appointed pursuant to this section.

SECTION 8. The Committee is hereby authorized and empowered to make such determinations regarding investment of money, and payment and distribution of funds to an employee covered by the Plan as may be necessary in order to carry out the provisions of the Plan established hereby.

SECTION 9. All funds and assets held in or credited to the Mandatory Deferred Compensation Plan for the benefit of an employee shall be paid and distributed as herein provided to the employee, or the employee's beneficiary, as the case may be.

A. Distribution upon retirement or disability of employee or other termination of employment. In the event an employee retires from the City or becomes permanently disabled from continuing full time employment with the City, the City will distribute to such employee the funds and assets of the Plan which have been deferred for his or her benefit in a lump sum or in equal monthly, quarterly or annual installments over a period of years not to be in excess of the employee's life expectancy.

B. Distribution upon death of employee. In the event of the death of an employee, the City will distribute to the employee's beneficiary the funds and assets of the Plan which have been deferred for his or her benefit in a lump sum or in equal monthly, quarterly or annual installments over a period of years not to be in excess of the beneficiary's life expectancy. In the event of the death of the beneficiary while receiving installment payments, any remaining balance in the employee's Mandatory Deferred Compensation account shall be deemed to be the property of the beneficiary at the time of the beneficiary's death, and shall be distributed to the persons legally entitled thereto.

C. Distribution prior to one year of employment. In the

event that any employee becomes entitled to the distribution of the amounts deferred for his or her benefit prior to one year of employment with the City of Modesto, distribution of the amounts deferred from the employee's gross regular salary shall be made as provided in this section; however, no distribution shall be made to the employee or his beneficiary of the amounts paid into the Plan by the City of Modesto. In such event, such amounts shall be returned to the appropriate fund of the City of Modesto.

SECTION 10. The City Manager is hereby authorized and directed from time to time to execute, on behalf of the City of Modesto, Custodial Agreements for the City of Modesto's Mandatory Deferred Compensation Plan with depositories as approved from time to time by the City Council.

SECTION 11. Except as otherwise herein provided, all prior actions and agreements of the City of Modesto relating to the Mandatory Deferred Compensation Plan are hereby ratified and are continued in full force and effect.

BE IT FURTHER RESOLVED that Resolution No. 81-1139, adopted December 15, 1981, is superseded by this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-210

A RESOLUTION APPROVING A REVISED FORM OF A "VOLUNTARY DEFERRED COMPENSATION AGREEMENT" AND REPEALING RESOLUTION NO. 81-1141.

WHEREAS, this Council by Resolution No. 83-211, adopted on April 12, 1983, amended and restated the Voluntary Deferred Compensation Plan for the Employees of the City of Modesto, and

WHEREAS, said Plan provides that the City Council is to approve from time to time the form of a "Voluntary Deferred Compensation Agreement" to be entered into by and between the City of Modesto and those of its officers and employees who voluntarily elect to participate in the Plan, and

WHEREAS, the Council desires to approve a revised form of such an agreement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that the "Voluntary Deferred Compensation Agreement" attached hereto marked Exhibit "A" is approved as the form of agreement to be used in the City of Modesto Voluntary Deferred Compensation Plan.

BE IT FURTHER RESOLVED that Resolution No. 81-1141 is hereby repealed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang who moved its adoption, which motion being duly seconded by Councilmember

Muratore was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

VOLUNTARY DEFERRED COMPENSATION AGREEMENT

This Agreement, entered into this _____ day of _____, 19___, is by and between the CITY OF MODESTO, a municipal corporation of the State of California, hereinafter referred to as CITY, and _____ hereinafter referred to as EMPLOYEE.

WHEREAS, EMPLOYEE is employed by CITY and is paid a salary or other compensation as determined and changed from time to time by CITY, and

WHEREAS, EMPLOYEE desires to have the payment of a portion of his salary or other compensation deferred and paid over to him at a later time, and

WHEREAS, CITY recognizes that the advantages of this Agreement to EMPLOYEE constitute a benefit to CITY by retaining key personnel in its employment, and has therefore established a Voluntary Deferred Compensation Plan, and

WHEREAS, this Agreement is established for the mutual benefit of the parties and does not constitute a retirement program for EMPLOYEE,

NOW, THEREFORE, in consideration of the mutual promises and obligations contained herein and in order to effectuate the parties' mutual desires, the parties hereto agree as follows:

1. EMPLOYEE agrees to faithfully perform such services and duties as shall be assigned to him by CITY, and EMPLOYEE shall be paid CITY a salary or other compensation as determined and changed from time to time by CITY.

2. CITY and EMPLOYEE agree that out of EMPLOYEE'S total bi-weekly compensation (salary) the sum of $_____ shall be retained by CITY in a Deferred Compensation Account. The monies in said Deferred Compensation Account shall be invested by CITY in a _____

B. All Police Department employees with safety membership in the Public Employee's Retirement System - age 55 until June 30, 1986
- age 50 after July 1, 1986

C. All other employees - age 60

or at EMPLOYEE'S option in any three taxable years thereafter, the maximum permitted deferral of includable compensation in any one taxable year shall be the lesser of (a) $15,000 or (b) the sum of $7,500 and so much of the maximum permitted deferral established for taxable years before the three taxable years as has not been previously deferred. The years in which this provision is to apply shall be designated in advance by a written request from EMPLOYEE to the Director of Finance of CITY.

5. Provided, that in computing the maximum deferral permitted under this Agreement, any compensation deferred under the City of Modesto Mandatory Deferred Compensation Plan, pursuant to Resolution No. _____, adopted _____, 19___, as it now exists or may hereafter be amended shall be treated as though it had been deferred under this Voluntary Deferred Compensation Agreement.

It is further expressly agreed that at such time as the compensation deferred by EMPLOYEE in any one taxable year reaches the maximum amount as defined in this Agreement, CITY may without any further notice to EMPLOYEE, cease retaining such compensation, should this occur, this Agreement shall remain in full force and effect, and retention will begin again in the next taxable year.

The term "taxable year" as used in this Agreement shall be construed to be a calendar year.

6. All funds and assets, together with interest, accumulations, and increments thereon, in said Deferred Compensation Account shall remain an asset of CITY and shall be subject to CITY'S ownership until such time as the funds or assets of said account are distributed to EMPLOYEE in accordance with the provisions of this Agreement. CITY shall have the right to deduct from said funds and assets the costs incurred by CITY in deferring, investing, and administering said funds and assets. The obligation of CITY to EMPLOYEE for the payment of the deferred compensation and increments thereon referred to in this Agreement is a contractual obligation only, and EMPLOYEE shall have no preferred or specific interest, by way of trust, escrow, annuity, or otherwise, in and to the specific assets or funds held in said Deferred Compensation Account. The provisions of this paragraph shall supersede and control any other provisions of this Agreement which could be interpreted to be in conflict herewith.

7. The funds and assets held in said Deferred Compensation Account shall be invested and re-invested by the Depositary designated in paragraph 2 above in any manner intended to increase said resources, and the net interest, accumulation, and increments thereon shall be credited to and held in said Deferred Compensation Account for the benefit of EMPLOYEE or EMPLOYEE'S beneficiary, as the case may be, until distribution as hereinafter specified, and until such account is finally depleted in its entirety.

8. All funds and assets held in or credited to said Deferred Compensation Account, including all earnings, accumulations, and increments thereon, shall be credited to and held in said Deferred Compensation Account for the benefit of EMPLOYEE or EMPLOYEE'S beneficiary, as the case may be, until distribution as hereinafter specified, and until such account is finally depleted in its entirety:

A. Distribution Upon Retirement or Disability of Employee. In the event EMPLOYEE retires from CITY or becomes permanently disabled from continuing full-time employment with CITY, CITY will distribute to EMPLOYEE the funds and assets of the Deferred Compensation Account in a lump sum; or in equal monthly, quarterly, semi-annual, or annual installments over a period of one or more years, but not in excess of the life expectancy of the EMPLOYEE, at CITY'S sole discretion after consultation with EMPLOYEE.

B. Distribution Before Retirement or Disability of Employee. In the event EMPLOYEE terminates services for CITY prior to retirement or becoming permanently disabled from continuing full-time employment with CITY, in order that he may accept employment or a position of public service with some other public agency, then, upon the written concurrence of the other public agency, the entire Deferred Compensation Account may at EMPLOYEE'S option, be transferred to the other public agency to be held as provided herein.

In the event EMPLOYEE terminates service for CITY prior to retirement or becoming permanently disabled from continuing full-time employment with CITY, and the Deferred Compensation Account is not transferred to another public agency, or in the event this Agreement is cancelled pursuant to paragraph 11 hereof, then, CITY will distribute to EMPLOYEE the funds and assets of the Deferred Compensation Account in a lump sum; or in equal monthly, quarterly, semi-annual, or annual installments over a period of one or more years, but not in excess of the life expectancy of the EMPLOYEE, at CITY'S sole discretion after consultation with EMPLOYEE.

C. Distribution upon Death of Employee. In the event of the death of EMPLOYEE, the funds and assets of the Deferred Compensation Account shall be distributed to EMPLOYEE'S beneficiary by CITY, in a lump sum; or in equal monthly, quarterly, semi-annual, or annual installments over a period of one or more years, but not in excess of the life expectancy of the beneficiary, at CITY'S sole discretion, after consultation with the beneficiary. In the event of the death of the beneficiary while receiving installment payments, any remaining balance in the Deferred Compensation Account shall be deemed to be the property of the beneficiary at the time of the beneficiary's death and shall be distributed to the persons legally entitled thereto.

9. CITY shall not be responsible for any loss due to the investment or failure of investment of funds and assets in said Deferred Compensation Account, nor shall CITY be required to replace any loss whatsoever which may result from said investments.

10. EMPLOYEE'S rights under this Agreement shall not be assigned, transferred or encumbered, nor shall they be subject to attachment, execution, or process of any of EMPLOYEE'S creditors. Except as otherwise herein provided, this Agreement shall be binding upon the parties hereto, their heirs, assigns, executors, administrators, and successors in interest.

Except as otherwise provided, this Agreement may be changed or amended only by the mutual consent of CITY and EMPLOYEE with said consent to be evidenced by a writing to be executed by said parties.

11. This Agreement shall commence upon execution hereof and shall be effective until EMPLOYEE terminates his employment with CITY. Provided, that either party may, prior to the 15th day of any calendar month, notify the other party in writing that the Agreement is cancelled. Such cancellation will be effective at the start of the first bi-weekly pay period commencing in the next calendar month. In the event this Agreement is cancelled, EMPLOYEE shall continue to have the right to distribution of all funds and assets held in or credited to said Deferred Compensation Account, including all earnings, accumulations, and increments thereon, in accordance with the provisions of paragraph 5 hereof.

12. EMPLOYEE hereby designates _____ as EMPLOYEE'S beneficiary to succeed to all EMPLOYEE'S right, title, and interest in the funds and assets of said Deferred Compensation Account. The above designation of beneficiary may be changed by EMPLOYEE at any time by written notice thereof delivered to the Director of Finance of CITY and the Director of Finance's written acknowledgement of receipt of said change in beneficiary.

13. This Agreement supersedes any prior agreement, if any, between the parties relating to deferred compensation. Any funds previously deferred under such a prior agreement shall be treated in all respects as though they had been originally deferred pursuant to this Agreement.

IN WITNESS WHEREOF, the City of Modesto, a municipal corporation, has authorized the execution of this Agreement in duplicate by its City Manager or his designee under authority of Resolution No. _____ adopted by the Council of the City of Modesto on the _____ day of _____, 19___, and EMPLOYEE has caused this Agreement to be executed.

CITY OF MODESTO, a municipal corporation

By _____

_____
EMPLOYEE

MODESTO CITY COUNCIL
RESOLUTION NO. 83-211

A RESOLUTION AMENDING AND RESTATING THE VOLUNTARY DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF MODESTO, AND SUPERSEDING RESOLUTION NO. 81-1140.

WHEREAS, this Council by Resolution No. 81-1140, adopted on December 15, 1981, amended and restated the Voluntary Deferred Compensation Plan for the employees of the City of Modesto, and

WHEREAS, the Council desires to amend the Voluntary Deferred Compensation Plan and to restate the Plan in full, as amended hereby,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that the City of Modesto's Voluntary Deferred Compensation Plan is hereby amended and restated in its entirety as follows:

SECTION 1. There is hereby established a Voluntary Deferred Compensation Plan (hereinafter referred to as the "Plan"), pursuant to which the officers and employees of the City of Modesto who hold salaried positions of employment or who receive compensation for the performance of their duties may voluntarily elect to defer payment of a portion of their salary or compensation to be paid over to them at a later time.

SECTION 2. That the City Manager or his designee is hereby authorized from time to time to execute counterparts for and on behalf of the City of Modesto of a "Voluntary Deferred Compensation Agreement" in a form approved from time to time by the City Council as the agreement to be entered into by and between the City of Modesto and those of its officers and employees who voluntarily elect to participate in the Plan.

SECTION 3. Employees who desire to participate in the Plan may elect to do so at any time prior to the 15th day of the month before such

deferral is to begin. The deferral will then commence in the first bi-weekly pay period commencing one month after the election.

SECTION 4. There is hereby established a Voluntary Deferred Compensation Committee to administer the Plan established hereby. The Committee shall consist of three persons to be appointed by and serve at the pleasure of the City Manager, one of who shall be appointed by the City Manager to be its Chairman. The Committee shall have such powers and duties as may be given to it by this resolution, or as may be necessary in order to carry out the provisions of agreements with depositaries entered into from time to time by the City. It shall also have such further powers and duties as may be delegated to it from time to time by the City Council. No member of the Committee shall be a participant in the Plan. Persons who are currently members of the Voluntary Deferred Compensation Committee as established by Resolution No. 72-800, shall continue in office, and shall serve at the pleasure of the City Manager as though appointed pursuant to this section.

SECTION 5. The Committee is hereby empowered to make the determinations regarding the investment of money, and payment and distribution of funds by City under the Voluntary Deferred Compensation Agreement referred to in Section 2 above.

SECTION 6. The City Clerk is hereby authorized and directed to certify to depositaries, and such other persons, firms or organizations with whom the City may have entered into contracts regarding the Plan established hereby, the names of the incumbent members of the Committee, and from time to time the names of such other persons who may be appointed to said offices.

SECTION 7. Except as otherwise provided in this Resolution, the maximum deferral in any one taxable year for a given employee shall be the

lesser of (a) $7,500.00, or (b) 33 1/3 percent of the employee's includable compensation as that term is defined by the Internal Revenue Service regulations governing deferred compensation plans.

SECTION 8. During the last three taxable years before an employee reaches the following applicable age:

A. All Fire Department employees with safety membership in the Public Employee's Retirement System - age 50

B. All Police Department employees with safety membership in the Public Employee's Retirement System - age 55 until June 30, 1986
- age 50 after July 1, 1986

C. All other employees - age 60

or at the employee's option in any three taxable years thereafter, the maximum deferral of includable compensation in any one taxable year shall be the lesser of (a) $15,000 or (b) the sum of $7,500 and so much of the maximum permitted deferral established for taxable years before the three taxable years as has not been previously deferred. The years in which this provision is to apply shall be designated in advance by a written request from the employee to the Director of Finance.

Provided that, in computing the maximum deferral permitted under the Plan, any compensation deferred under the City of Modesto Mandatory Deferred Compensation Plan, established by City Council Resolution No. 83-209, adopted April 12, 1983, as it now exists or may hereafter be amended shall be treated as though it had been deferred under this Voluntary Deferred Compensation Plan.

SECTION 9. The City Manager is hereby authorized and directed from time to time to execute, on behalf of the City of Modesto, Custodial Agreements for the Voluntary Deferred Compensation Plan with depositories as approved from time to time by the City Council.

SECTION 10. Except as otherwise herein provided, all prior actions and agreements of the City of Modesto relating to the Voluntary Deferred Compensation Plan, other than the form and content of Voluntary Deferred Compensation Agreements referred to in Section 2 hereof between employees and the City of Modesto, are hereby ratified and are continued in full force and effect.

BE IT FURTHER RESOLVED that Resolution No. 81-1140, adopted on December 15, 1981, is superseded by this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-212

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** OF NECESSITY TO ACQUIRE FOUR RIGHT OF WAY PARCELS OWNED BY HASHEM NARAGHI, DONALD GONSALVES ET AL, JUDITH LORETELLI AND OLIVER BAUMAN, NEEDED FOR THE OAKDALE/BRIGGSMORE TO FLOYD PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** May 3, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire four right of way parcels needed for the Oakdale/Briggsmore to Floyd project.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** April **,** 19 83 **, by Councilmember** Lang **, who moved its adoption, which motion being duly seconded by Councilmember** Muratore **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-213

A RESOLUTION APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUNDS FOR CONSTRUCTION OF THE RESTROOM/UTILITY BUILDING IN TUOLUMNE RIVER REGIONAL PARK.

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a Federal Land and Water Conservation Fund Grant-In-Aid Program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes, and

WHEREAS, the State Department of Parks and Recreation is responsible for the administration of the program within the State, setting up necessary rules and procedures governing application by local agencies under the program, and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said applications to the State, and

WHEREAS, the proposed construction project is consistent with the State Outdoor Recreation Plan Recreation in California, Issues and Actions: 1981-1985, and

WHEREAS, the project must be compatible with the land use plans of those jurisdictions immediately surrounding the project,

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby:

1. Approves the filing of an application for Land and Water Conservation Fund assistance.

2. Certifies that said agency has matching funds from the source of sales tax and can finance 100 percent of the project, half of which will be reimbursed.

3. Certifies that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project.

4. Appoints the City Manager as agent of the City to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, billing statements, and so on which may be necessary for the completion of the aforementioned project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-214

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE CALIFORNIA DEPARTMENT OF TRANSPORTATION TO PROVIDE 84.1% GRANT FINANCING FOR BICYCLE PARKING FACILITIES (LOCKERS AND RACKS) TO BE PLACED IN VARIOUS LOCATIONS DOWNTOWN AT CITY FACILITIES

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the California Department of Transportation to provide 84.1% grant financing for bicycle parking facilities (lockers and racks) to be placed in various locations downtown at City facilities

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** April, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-215

A RESOLUTION AMENDING THE ANNUAL BUDGET OF THE CITY OF MODESTO TO ESTIMATE REVENUE OF $5,550 FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND TO APPROPRIATE FUNDS FOR THE PURCHASE OF BICYCLE LOCKERS AND RACKS IN THE LOCAL TRANSPORTATION FUND, FUND NO. 05.

WHEREAS, the California Department of Transportation has provided a grant of $5,550 to the City of Modesto for the purchase of bicycle lockers and racks, and

WHEREAS, the City of Modesto is required to provide $1,050 towards the total project cost of $6,600, and

WHEREAS, it is necessary to amend the City of Modesto 1982-83 Annual Budget to estimate revenue and to appropriate the project cost in the Local Transportation Fund, Fund No. 05,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following changes be made to the 1982-83 Annual Budget of the City of Modesto:

Local Transportation Fund (Fund 05)

Estimated Revenue

| Account | Description | Increase (Decrease) Amount |
|---|---|---|
| 270.00-05 | State Grant | $ 5,550 |

Appropriations

| Account | Description | Increase (Decrease) Amount |
|---|---|---|
| 6387-7102-05 | Bike Racks - State Grant | $ 6,600 |
| 61.04-8911-05 | Contingency Reserve for Pending Projects | (1,050) |
| | | $ 5,550 |

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-216

A RESOLUTION APPROVING THE FINAL MAP OF THE BUTTONWILLOW CONDOMINIUMS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Resource Development, c/o A.E. Carrade, is/~~did~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.863 acres, known as the Buttonwillow Condominiums Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 21st day of June, 1982, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Buttonwillow Condominiums Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal

Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-217

A RESOLUTION ESTABLISHING PASSENGER FARES FOR DIAL-A-RIDE SERVICE AND SUPERSEDING RESOLUTION NO..81-737.

BE IT RESOLVED by the Council of the City of Modesto, that the following fares are hereby established for passengers riding on the City of Modesto's Dial-A-Ride service:

A. Cash Fares

| | |
|---|---|
| Regular | $ 1.20 |
| Elderly and handicapped receiving only $58.00 a month or less in disposable income and residing in board and care homes | $ .50 |

B. Tickets

| | |
|---|---|
| 10-Ticket Booklet | $ 7.50 |

BE IT FURTHER RESOLVED that this resolution shall be effective on and after August 31, 1981, and supersedes Resolution No. 81-737.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the

resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-218

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $3,300 FROM SCHOOL SITE AND FACILITIES TAX FUND TO COVER COSTS OF EMPIRE SENIOR ELEMENTARY SCHOOL EXPANSION

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | School Site and Facilities Tax Fund (61-04 Fund 12) | $3,300 |
| TO: | Empire Senior Elementary School (6262.00) | $3,300 |

Funds from "Lot Tax" needed to cover costs of Empire Senior Elementary School expansion.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** April, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-219

A RESOLUTION AUTHORIZING THE USE OF SCHOOL SITE AND FACILITIES TAX FUNDS OF THE CITY OF MODESTO TO PAY FOR ACQUISITION OF PROPERTY FOR THE PROPOSED EXPANSION OF THE TEEL SENIOR ELEMENTARY SCHOOL SITE.

WHEREAS, the Empire Union Elementary School District of Stanislaus County has proposed to expand the Teel Senior Elementary School site by the acquisition of 6.3 acres of property east of the Teel Senior Elementary School from Eldon and Elaine Kidd, and

WHEREAS, the School Site and Facilities Tax Advisory Committee has approved the acquisition and has recommended the allocation of "lot tax" funds for that purpose,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the payment of $94,500.00 from the City of Modesto School Site and Facilities Tax Fund for acquisition of property from Eldon and Elaine Kidd for the proposed expansion of the Teel Senior Elementary School site. Said payment to be made into the escrow established with First American Title Company for the acquisition of said property.

BE IT FURTHER RESOLVED that the Council authorizes reimbursement from the City of Modesto School Site and Facilities Tax Fund to the Empire Union Elementary School District of the actual cost of surveying, preparation and approval of a parcel map for said property in an amount not to exceed $2,400.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call

carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-220
AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** STANISLAUS COUNTY REGARDING THE ALLOCATION OF PROPERTY TAX FROM ANNEXED AREAS

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Stanislaus County regarding the allocation of property tax from annexed areas

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** April, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-221

A RESOLUTION ESTABLISHING A SISTER CITY/TWINNING RELATIONSHIP WITH THE CITY OF VERNON, BRITISH COLUMBIA, CANADA.

WHEREAS, the City of Vernon, located in the Okanagan Valley in the interior of the Province of British Columbia in Canada has indicated its desire to establish a Sister City/Twinning relationship with the City of Modesto, and

WHEREAS, the Cities of Vernon and Modesto have many things in common, including being located in rich agricultural valleys and near numerous recreational areas and activities, such as boating and skiing, and

WHEREAS, both cities and their citizens will benefit from a Sister City/Twinning relationship by the establishment of greater understanding and goodwill, and

WHEREAS, a Sister City/Twinning relationship between the Cities of Modesto and Vernon can be fostered with activities such as the exchange of slide presentations, exchange of visits by City Officials, invitational sports events, student exchanges, agricultural exchanges, and similar activities, and

WHEREAS, it is proposed that a Sister City/Twinning relationship of the two cities be based on the following understanding:

(a) There will be no exchange of expensive gifts (only items such as locally produced and processed agricultural crops).

(b) Delegations or groups will not be sponsored financially by either city.

(c) That a location will be designated in each city for visitors to receive an official welcome and assistance, and

WHEREAS, the City of Modesto is desirous of establishing such a Sister City/Twinning relationship with the City of Vernon,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that it hereby establishes a Sister City/Twinning relationship with the City of Vernon, British Columbia, Canada, based on the above-stated understanding.

BE IT FURTHER RESOLVED that Modesto's Sister City Committee is hereby requested to take appropriate steps to further this Sister City/Twinning relationship between the Cities of Modesto and Vernon.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 222

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO SUPPORTING AN APPLICATION FOR HISTORIC PRESERVATION GRANTS-IN-AID FUNDS FOR A HISTORIC RESOURCES INVENTORY PROJECT IN THE CITY OF MODESTO.

WHEREAS, the Congress under Public Law 89-665 has authorized the establishment of a National Historic Preservation Grants-In-Aid Program, providing matching funds to the State of California and its political sub-divisions for historic preservation, survey, planning, development, and acquisition projects, and

WHEREAS, the State Department of Parks and Recreation is responsible for the administration of the program within the State, setting up the necessary rules and procedures governing application by local agencies under the program, and

WHEREAS, the Stanislaus County Historical Society has submitted an application for funding of a Historic Resources Inventory of Central Modesto and will match grant funds with donated labor,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby:

1. Finds that the results of such an Inventory will aid the City of Modesto in preserving its historical heritage and in carrying out its statutory duties under the California Environmental Quality Act and National Environmental Protection Act.

2. Supports the Stanislaus County Historical Society in its application for grant funding under the National Historic Preservation Grants-in-Aid program for the Modesto Historic Resources Inventory Project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-223

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF STORM DRAINAGE ON FOURTH STREET BETWEEN J AND K STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of storm drainage on Fourth Street between J and K Streets copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 10, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-224

A RESOLUTION ACCEPTING THE BID OF BOWERS COMPANY FOR THE INSTALLATION OF ALTERNATIVE METHANE FUEL PROGRAM

WHEREAS, Resolution No. 83-148, adopted by the Council of the City of Modesto on March 22, 1983, approved the plans and specifications for the installation of an alternative methane fuel program and authorized the calling for bids; and

WHEREAS, the bids received for the installation of an alternative methane fuel program were opened at 11:00 a.m. on April 12, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Bowers Company in the amount of $249,840 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Bowers Company in the amount of $249,840 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 19 83, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-225

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE BRUSH CHIPPER

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one brush chipper

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 17, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-226

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF LARGE LAMPS FOR THE DURATION OF FISCAL YEAR 1982-83 AND TO CONTINUE THROUGH 1-31-84 FROM THE CALIFORNIA STATE DEPARTMENT OF GENERAL SERVICES

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of large lamps for the duration of fiscal year 1982-83 and to continue through January 31, 1984,is hereby waived.

BE IT FURTHER RESOLVED that purchase of large lamps from the California State Department of General Services for the estimates total of $23,000 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1983, by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-227

A RESOLUTION ADOPTING A MINORITY BUSINESS PROGRAM FOR THE CITY OF MODESTO.

WHEREAS, it is the policy of the City of Modesto to utilize Minority Business Enterprises in all aspects of contracting to the maximum extent feasible, and

WHEREAS, this policy is fully described in the City's Minority Business Program which constitutes City policy and a commitment to substantially increase Minority Business and Female Business Utilization, and

WHEREAS, this policy includes any program or facility funded wholly or in part by any U. S. Department of Transportation modal element, through City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the "City of Modesto Minority Business Policy" dated January, 1983, copies of which are on file in the Offices of the City Clerk, Director of Engineering Services and Purchasing Officer, is hereby adopted and shall be used to ensure that minority business enterprises have the maximum opportunity to participate in the performance of contracts and subcontracts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1983, by Councilmember Patterson, who moved its adoption, which motion being

duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-228

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT DEED FOR A PARTIAL TRANSFER OF INTEREST IN REAL PROPERTY, AIRPORT CLEAR ZONE PROPERTY, TO STANISLAUS COUNTY

WHEREAS, the City of Modesto has acquired three properties for the Airport Clear Zone project; and

WHEREAS, a review of the acquisition has discovered that the properties were erroneously conveyed only to the City of Modesto rather than to Stanislaus County and the City of Modesto as co-owners of the Airport.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that partial transfer of interest in real property for the Airport Clear Zone project from City of Modesto to Stanislaus County and the City of Modesto as co-owners of the Airport be and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of said grant deed by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1983, by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-229

A RESOLUTION DETERMINING URBAN LIMITS AND REVISED CLASSIFICATION OF CERTAIN STREETS WITHIN THE URBAN LIMITS IN THE FEDERAL-AID SYSTEM.

WHEREAS, by Resolution No. 74-678 adopted on August 12, 1974, the City Council approved the procedure and criteria necessary to participate in the Federal Aid Urban-D Program, and

WHEREAS, the Stanislaus County Board of Supervisors thereafter established the Stanislaus County Urban System Technical Advisory Committee, and

WHEREAS, by Resolution No. 79-96 adopted on February 6, 1979, the City Council approved a revised program for the Federal Aid Urban-D Program, as recommended by the Stanislaus County Urban System Technical Advisory Committee, entitled "Stanislaus Federal Aid Urban-D Program Modesto-Ceres Urban Area", and

WHEREAS, said Resolution No. 79-96 further granted said Committee authority to adjust, if necessary, the project funding for the revised program, and

WHEREAS, by motion, the City Council approved the 1980 Functional Classification of Streets within the Modesto-Ceres Urban Area, and

WHEREAS, new Urban Limits of the Modesto-Ceres Area have been determined as reflected by data in the 1980 U. S. Census, and

WHEREAS, due to the New Urban Limits, additions have been made to the Federal Aid Urban (FAU) Federal-Aid System, said additions are more particularly set forth on Exhibit 1, attached hereto and made a part hereof by reference, and

WHEREAS, revisions have also occurred in the classification of certain streets existing within the Urban Limits, said revisions being more particularly set forth on Exhibit 2, attached hereto and made a part hereof by reference, and

WHEREAS, said additions and revisions have been approved by Caltrans, the County of Stanislaus, and the City of Ceres,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That additions to the Urban Limits of the Modesto-Ceres Area are approved as set forth on Exhibit 1, attached hereto and made a part hereof by reference.

2. That the revised classification of certain streets existing within the Urban Limits are approved as set forth on Exhibit 2, attached hereto and made a part hereof by reference.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Additions To F.A.U. System

# FEDERAL AID SYSTEM

COUNTY Stanislaus FAS ☐ FAU ☒ URBAN AREA Modesto - Ceres NO. 1

| | STREET/ROAD NAME | TERMINI | | LENGTH 1/100 MILE (RESPON JURISI) | | | | MAP SHEET NUMBER |
|---|---|---|---|---|---|---|---|---|
| | | FROM | TO | STATE | COUNTY | CITY | TOTAL | |
| 1 | Broadway | S.R. 99 | Kiernan Avenue | | .17 | | .17 | 1 |
| 2 | Oakdale Road | Sylvan Avenue | Mable Avenue | | .25 | .25 | .50 | 1B8 |
| 3 | Claus Road | S.R. 132 | Briggsmore Avenue | | 1.3 | .7 | 2 mi. | 3B1 |
| 4 | Santa Fe | Lateral No. 1 | S.R. 132 | | .72 | | .72 | 3B1 |
| 5 | Hatch Road | Ceres Main Canal | Booth Road | | .14 | .14 | .28 | 1D8 |
| 6 | Whitmore Avenue | Moore Road | Booth Road | | .13 | .13 | .26 | 1D8 |
| 7 | Whitmore Avenue | Crows Landing Road | S.R. 99 | | 1.07 | .69 | 1.76 | 1D8 |
| 8 | Tully Road | STANDIFORD | SNYDER | | | 0.48 | 0.48 | |
| | | | | | | | | |
| | | | | | | | | |
| | DELETE FROM | FAS | | | | | | |
| 1 | Broadway | S.R. 99 right-of-way | Kiernan Avenue | | .17 | | .17 | |
| 2 | Oakdale Road | Sylvan Avenue | Mable Avenue | | .25 | .25 | .50 | |
| 3 | Claus Road | S.R. 132 | Briggsmore Avenue | | 1.3 | .7 | 2 mi. | |
| 4 | Santa Fe | Lateral No. 1 | S.R. 132 | | .72 | | .72 | |
| 5 | Hatch Road | Ceres Main Canal | Booth Road | | .14 | .14 | .28 | |
| 6 | Whitmore Avenue | Moore Road | Booth Road | | .13 | .13 | .26 | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

EXHIBIT 1

EXHIBIT 02-1
1980-3

FUNCTIONAL CLASSIFICATION CHANGES

# FEDERAL AID SYSTEM

1983

COUNTY Stanislaus FAS ☐ FAU ☐ URBAN AREA Modesto-Ceres NO.

| | STREET/ROAD NAME | TERMINI FROM | TERMINI TO | LENGTH 1/100 MILE (RESPON JURIS) STATE | COUNTY | CITY | TOTAL | MAP SHEET NUMBER |
|---|---|---|---|---|---|---|---|---|
| 1 | Broadway | S.R. 99 | Kiernan Avenue | | | | .17 | 1 |
| 2 | Oakdale Road | Sylvan | Mable | | | | .50 | 188 |
| 3 | Claus Road | S.R. 132 | Briggsmore Avenue | | | | 2.00 | 361 |
| 4 | Santa Fe | Lateral No. 1 | S.R. 132 | | | | .72 | 381 |
| 5 | Hatch Road | Ceres Main Canal | Booth Road | | | | .28 | 108 |
| 6 | Whitmore Avenue | Moore Road | Booth Road | | | | .26 | 108 |
| 7 | Tully Road | Standiford | Snyder | | | | .48 | 187 |
| 8 | Tully Road | Snyder | Kiernan Avenue | | | | 1.03 | 187 |

A Change from major collector to minor arterial

B Change from major collector to principal arterial

C Classify as minor arterial

D Classify as major collector

EXHIBIT 2

EXHIBIT 02-1
1980-3

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-230

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** SOUTHERN PACIFIC TRANSPORTATION COMPANY TO ENCROACH UPON THE RAILROAD COMPANY'S RIGHT-OF-WAY TO INSTALL THE 2-INCH HIGH PRESSURE METHANE GAS LINE FOR THE CITY'S ALTERNATIVE FUEL PROGRAM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Southern Pacific Transportation Company to encroach upon the railroad company's right-of-way to install the 2-inch high pressure methane gas line for the City's alternative fuel program

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 19th **day of** April, **19**83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-231

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE WESTERN PACIFIC RAILROAD COMPANY TO ENCROACH UPON THE RAILROAD COMPANY'S RIGHT-OF-WAY TO INSTALL THE 2-INCH HIGH PRESSURE METHANE GAS LINE FOR THE CITY'S ALTERNATIVE FUEL PROGRAM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** The Western Pacific Railroad Company to encroach upon the railroad company's right-of-way to install the 2-inch high pressure methane gas line for the City's alternative fuel program

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 19th **day of** April, **19**83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-232

A RESOLUTION APPROVING THE PAYMENT OF FEES AS PROVIDED FOR IN AGREEMENTS WITH SOUTHERN PACIFIC TRANSPORTATION COMPANY AND THE WESTERN PACIFIC RAILROAD COMPANY

BE IT RESOLVED by the Council of the City of Modesto that payment of fees as provided for in the agreements with Southern Pacific Transportation Company and The Western Pacific Railroad Company are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-233

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** MOHAMED D. SALEH FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1114 GARDEN AVENUE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Mohamed D. Saleh for sewer service to property outside City limits at 1114 Garden Avenue, located on the south side of Garden Avenue between Sutter Avenue and Colorado Avenue

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 19th **day of** April, **19** 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-234

A RESOLUTION GRANTING FREE BUS AND DIAL-A-RIDE TRANSPORTATION SERVICE FOR THE "PICNIC IN THE PARK" CELEBRATION ON JULY 3 AND JULY 4, 1983, AND AMENDING RESOLUTION NO. 83-163.

WHEREAS, the Council by Resolution No. 83-163, has granted approval for a fireworks display and parade and for assistance with the "Picnic in the Park" for the 1983 Fourth of July celebration in the City of Modesto, and

WHEREAS, said Resolution No. 83-163 authorized payment of $7,000.00 by the City to help defray some of the expenses of the 1983 Fourth of July Celebration, and

WHEREAS, the City-County Joint Transportation Committee has recommended that bus transportation and Dial-A-Ride service be provided for the "Picnic in the Park",

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The City will provide/operate two buses on Sunday, July 3, 1983, and three buses on Monday, July 4, 1983, between the approximate hours of 12:30 p.m. and 8:30 p.m. for free shuttle bus service from the downtown area to the "Picnic in the Park" celebration at Tuolumne River Regional Park.

2. Dial-A-Ride service will be open to the general public on a fare-free basis on both Sunday, July 3, 1983, and Monday, July 4, 1983. The hours of Dial-A-Ride service will be extended into the evening to cover the hours of the shuttle bus service on Sunday, July 3, 1983.

3. The total $1,600 cost of these services ($1,000 to operate the buses and $600 in foregone Dial-A-Ride fares and extra vans) is to be split equally ($800) between the City and County.

4. Paragraph 9 of Resolution No. 83-163 is hereby amended to read as follows:

"9. The City will pay the Jaycees a total of Six Thousand, Seven Hundred and no/100ths ($6,700.00) Dollars to help defray some of the Jaycees' expenses such as insurance, postage, etc. for the 1983 Fourth of July fireworks display, parade and "Picnic in the Park". In addition, the City will pay the Jaycees such portion of the estimated $800.00 City share of the cost of providing free bus transportation and Dial-A-Ride service for the "Picnic in the Park", that is not used by the City for that purpose.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-235

A RESOLUTION ADDING AN AREA TO THE DIAL-A-RIDE SERVICE AREA.

WHEREAS, the County of Stanislaus has requested that the small area near Yosemite Boulevard and Beard Avenue be added to the Dial-A-Ride service area, and

WHEREAS, said area is more particularly described on Exhibit "A", attached hereto and incorporated herein by reference, and

WHEREAS, the City-County Joint Transportation Committee has considered the County's request to add said area to the Dial-A-Ride service area and has recommended that it be included in the Dial-A-Ride service area, and

WHEREAS, the Council desires to add said area to the Dial-A-Ride service area,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the area described on Exhibit "A", attached hereto and incorporated herein by reference, is hereby added to the Dial-A-Ride service area.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

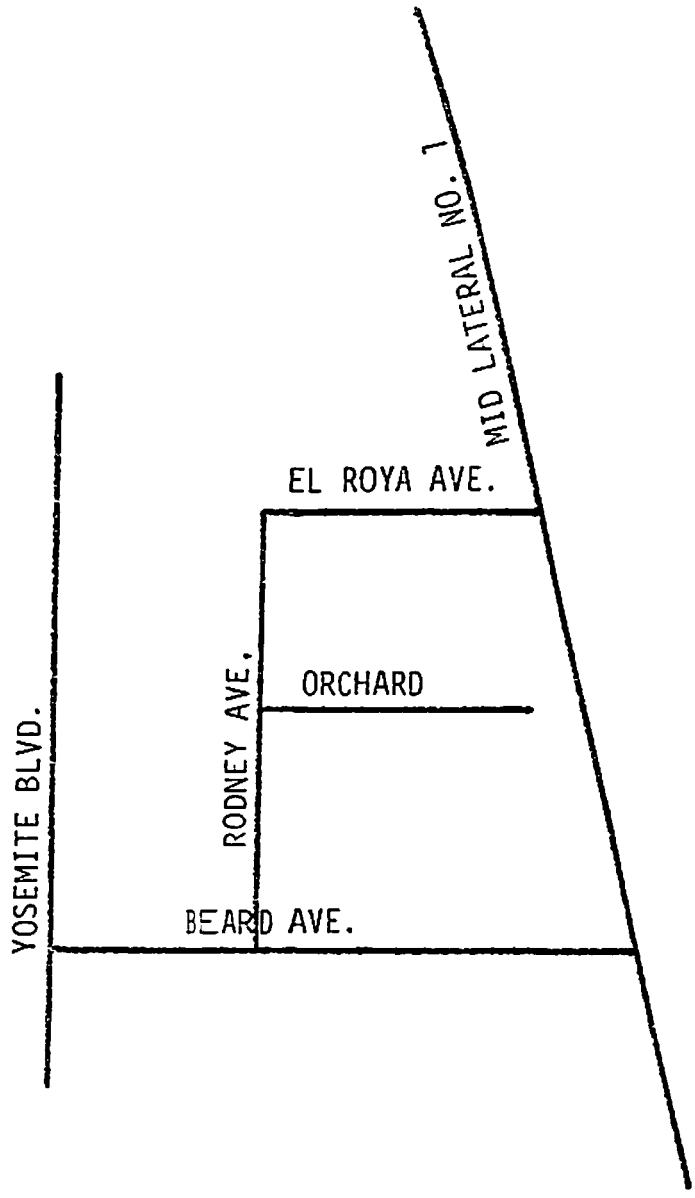
ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney


MID LATERAL NO. 1
EL ROYA AVE.
ORCHARD
RODNEY AVE.
YOSEMITE BLVD.
BEARD AVE.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-236

A RESOLUTION AUTHORIZING AN ADDENDUM TO THE CITY OF MODESTO SPECIFICATIONS FOR THE DIAL-A-RIDE SYSTEM.

WHEREAS, by Resolution No. 83-151 adopted on March 22, 1983, the Council approved "Specification DAR 1" for the Dial-A-Ride system, and

WHEREAS, the City-County Transportation Committee has recommended that said specifications be amended to allow dual bids for providing Dial-A-Ride service--one for supplying five vans and another for supplying six vans, with the City Council having the right to determine which of the dual bids would provide the best service,

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize and direct the Director of Parking and Traffic to issue an addendum to the "Specification DAR 1" to allow dual bids for providing the Dial-A-Ride service--one for supplying five vans and another for supplying six vans, with the City Council to have the authority to determine which of the dual bids would provide the best service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call

carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-237

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** DAVID B. DEVINE ALLOWING THE SUBTRUNK SEWER EXTENSION CHARGES TO BE SPREAD OVER A PERIOD OF TIME FOR AN INDUSTRIAL PARCEL ON LONE PALM AVENUE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** David B. Devine allowing the subtrunk sewer extension charges to be spread over a period of time for an industrial parcel on Lone Palm Avenue

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 19th **day of** April, **19** 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-238

AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** MERCURY REFUELING, INC. dba HAWKE FLYING SERVICE, INC. TO ELIMINATE HANGAR NO. 1 AND FOUR TIE-DOWNS FROM MERCURY'S LEASE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the** amended **agreement between the City of Modesto and** Mercury Refueling, Inc., dba Hawke Flying Service, Inc. to eliminate Hangar No. 1 and four tie-downs from Mercury's lease

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 19th **day of** April, **19**83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-239

AMENDED

**A RESOLUTION APPROVING /AGREEMENT BETWEEN THE CITY OF MODESTO AND** HEWLETT-PACKARD TO APPROVE A RATE INCREASE FOR MAINTENANCE OF THE HEWLETT-PACKARD WATER AUTOMATION DATA LOGGER, SYSTEM 9845B

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the /agreement between the City of Modesto and** Hewlett-Packard, to approve a rate increase for maintenance of the Hewlett-Packard Water Automation Data Logger, System 9845B located in the Utility Services Department, Water Production Division, for $7,968 per year

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 19th **day of** April, **19** 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-240

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES FOR EXPANSION OF THE CITY SERVICE YARD (VALLERAND).

(Name of Project and Property Owners Name)

WHEREAS, on March 15, 19 83, the Council of the City of Modesto by Resolution No. 83-139 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on April 12 and 26, 1983, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of expansion of the City Service Yard,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Section 1240.110(a) of the Code of Civil Procedure, Sections 37350, 37350.5, 37351, 39792, and 40404 of the Government Code, and Article I, §19 of the Constitution of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

5. The real property which is hereinafter described consists of a parcel approximately 39,300 square feet in area, improved with a building approximately 9250 square feet in area, and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

Lots 1 to 14 inclusive in Block 435 of the CITY OF MODESTO, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 21, 1942 in Volume 15 of Maps.

EXCEPTING THEREFROM the South 30 feet thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1983, by Councilmember Lang, who moved it adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Alfred Siemel
Engineering Department

MODESTO CITY COUNCIL
RESOLUTION NO. 83-241

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE SERVICE TRUCK AND VAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one service truck and van

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 17, 1983, at 2:05 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-242

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC. FOR THE CONSTRUCTION OF WATERLINE EXTENSION ON LONE PALM

WHEREAS, Resolution No. 83-171, adopted by the Council of the City of Modesto on April 5, 1983, approved the plans and specifications for the construction of waterline extension on Lone Palm and authorized the calling for bids; and

WHEREAS, the bids received for the construction of waterline extension on Lone Palm were opened at 11:05 a.m. on April 19, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Joe Martin Pipeline, Inc. in the amount of $35,857 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $35,857 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-243

A RESOLUTION ACCEPTING THE BID OF GRANITE CONSTRUCTION COMPANY FOR SLURRY SEAL AND STRIPING OF COMMERCIAL RUNWAY AND OVERLAY AND STRIPING OF UTILITY RUNWAY

WHEREAS, Resolution No. 83-149, adopted by the Council of the City of Modesto on March 22, 1983, approved the plans and specifications for the slurry seal and striping of commercial runway and overlay and striping of utility runway and authorized the calling for bids; and

WHEREAS, the bids received for the slurry seal and striping of commercial runway and overlay and striping of utility runway at the Modesto City-County Airport were opened at 11:00 a.m. on April 19, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Granite Construction Company in the amount of $191,358.67 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Granite Construction Company in the amount of $191,358.67 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-244

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ADOPTING AN URBAN TRANSITION POLICY.

WHEREAS, Stanislaus County has designated the area within the General Plan boundary of the City of Modesto as Urban Transition, and

WHEREAS, the purpose of the Urban Transition designation is the protection of this area from the encroachment of uses in conflict with future City development, and

WHEREAS, in fulfilling this purpose all applications received by Stanislaus County for rezonings, general plan amendments, use permits, variances, exceptions, and parcel splits within the Urban Transition area of the City of Modesto are referred to the City of Modesto for comment, and

WHEREAS, the Stanislaus County Board of Supervisors has now requested a written policy adopted by the City Council,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto hereby adopts the following policy with respect to Urban Transition and authorizes the Modesto Planning Commission to administer it:

1. The City Council of the City of Modesto is generally opposed to parcel splits that create parcels of less than 10 acres within the Urban Transition area and requests that Stanislaus County repeal Section 21.20.060(c) of the County Code which currently allows such splits.

2. The City Council of the City of Modesto requests that the Stanislaus County Land Use Element of the General Plan be amended to be consistent with the repeal of Section 21.20.060(c) of the County Code.

3. The City Council of the City of Modesto requests that all use permits, variances, exceptions, parcel maps, and other applications within the City's Urban Transition area be referred to the City for comment and approval of these permits be conditioned to meet all City of Modesto development standards.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-245

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A GRANT APPLICATION FOR FEDERAL FUNDING TO RECONSTRUCT APPROXIMATELY 17,000 SQUARE YARDS OF GENERAL AVIATION AIRCRAFT PARKING APRON, INCLUDING DRAINAGE, TIE-DOWNS, AND MARKING AT THE MODESTO CITY-COUNTY AIRPORT

WHEREAS, on January 11, 1983, the Council approved the submission of a preapplication to the FAA for a Federal grant in the amount of $171,000 to reconstruct approximately 17,000 square yards of general aviation aircraft parking apron, including drainage, tie-downs, and marking at the Modesto City-County Airport; and

WHEREAS, the tentative allocation has been received from FAA.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the submission of an application to the Federal Aviation Agency for the above-memtioned project, in the amount of $171,000, be, and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-246

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** MODESTO BASEBALL CLUB , INC. FOR THE USE OF DEL WEBB FIELD

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Modesto Baseball Club, Inc. for the use of Del Webb Field

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 26th **day of** April, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Patterson |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-247

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO (SANTA ANA AVENUE AND LAS PALMAS AVENUE AREA)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto upon its own motion hereby orders the installation of the sidewalk improvements along certain streets in the City of Modesto.

SECTION 2. The Superintendent of Streets is hereby directed to deliver, mail and post said notices in the manner specified in Sections 5876 through 5879 of the Streets and Highways Code.

SECTION 3. The 10th day of May , 19 83 , at 7:30 o'clock p.m. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested person relating to the proposed work.

SECTION 4. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April , 1983 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

a. Sidewalk along Escuelita Avenue at 145 Wilson Avenue, Lot A, Block 2016 (Vern R. Conger)

b. Sidewalk along Pequino Avenue at 215 Wilson Avenue, A portion of Block 2018 (Barney A. Hilburn)

c. Sidewalk along Pequino Avenue at 220 Wilson, A portion of Block 2030 (John A. Myrtakis)

d. Sidewalk along Escuelita Avenue at 138 Wilson Avenue, A portion of Block 2032 (Mae E. Smith)

e. Sidewalk at 125 Santa Ana Avenue, A portion of Block 2032 (Ruth E. Bauman)

f. Sidewalk at 175 Santa Ana Avenue, A portion of Block 2032 ( Edith M. Corson)

g. Sidewalk along Escuelita Avenue, and Santa Ana Avenue, at 179 Santa Ana Avenue, A portion of Block 2032 (Doris Jacobson)

h. Sidewalk at 171 Santa Ana Avenue, A portion of Block 2032 (Zelma Grissom)

i. Sidewalk along Santa Ana Avenue, at 1027 Yosemite Blvd., Lot 9 of Block 2032 (Ronald R. Haht)

j. Sidewalk at 127 Santa Ana Avenue, A portion of Block 2032 (Ploutz and Duncan)

k. Sidewalk at 123 Santa Ana Avenue, A portion of Block 2032 (Tarverdi & Isaac)

l. Sidewalk at 129 Santa Ana Avenue, A portion of Block 2032 (Vernal Richardson)

m. Sidewalk at 110 Las Palmas Avenue, A portion of Block 2016 (Abraham, Yohan, Miroo, and Yo'Hannan)

n. Sidewalk along Las Palmas Avenue, at 101 Village Road, Lot 1 of Block 259, (Cecil F. Brown)

o. Sidewalk at 130 Las Palmas Avenue, Lot N of Block 2016, (Holger E. Bystrom)

p. Curb at 169 Village Road, Lot 16, Block 259, (Robert A. Canfield)

q. Sidewalk at 133 Las Palmas Avenue, A portion of Block 260 (Bertha Delemos)

r. Sidewalk at 328 Las Palmas Avenue, A portion of Block 2020 (Dwain Forbus).

s. Sidewalk at 136 Las Palmas Avenue, Lot 0 of Block 2016 (Michael Greenberg)

t. Sidewalk at 112 Las Palmas Avenue, A portion of Block 2016, (Beth E. Hampton)

u. Sidewalk at 211 Las Palmas Avenue, Lot 12 of Block 260, (Arthur J. Lucks)

v. Sidewalk at 118 Las Palmas Avenue, A portion of Block 2016, (Alta McCabe)

w. Sidewalk at 127 Las Palmas Avenue, A portion of Block 260 (David E. Menshew)

x. Sidewalk at 203 Las Palmas Avenue, Lot 14 of Block 260, (Mary A. Moore)

y. Curb along Village Road at 225 Las Palmas Avenue, A portion of Block 259 (Gary E. Thomas)

z. Sidewalk at 207 Las Palmas Avenue, Lot 13 of Block 260 (Ratti & Bertolotti)

aa. Sidewalk along Las Palmas Avenue at 217 Las Palmas Avenue, Lot 10 of Block 260 (Mable I. Thompson)

bb. Sidewalk along Escuelita Avenue and Las Palmas Avenue at 142 Las Palmas Avenue, Lot P of Block 2106 (Lewis W. Reynolds)

cc. Sidewalk at 124 Las Palmas Avenue, A portion of Block 2016 (John C. Santos)

dd. Sidewalk along Las Palmas Avenue, at 102 Village Road, Lot 18 of Block 260 (Albert C. Severson)

ee. Curb at 165 Village Road, A portion of Block 259 (Evert R. Stedman)

ff. Sidewalk along Pequeno Avenue, and Las Palmas Avenue, at 220 Las Palmas Avenue, A portion of Block 2018 (Burrell Willett)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-248

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REPORT OF WORK AND COST OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 24, 1983, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the reports by the Superintendent of Streets on the cost of construction of improvements as described in such reports.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

a. Sidewalk along Yosemite Blvd. at 1105 Yosemite Blvd., A portion of Block 2054 (Margaret E. Agen - $658.00)

b. Sidewalk at 1141 Allen Drive, Lot 11 of Block 1144, (James A. Biedenweg - $268.00)

c. Sidewalk at 1137 Allen Drive, Lot 10 of Block 1144, (Dennis F. Bunce - $305.00)

d. Sidewalk at 931 McHenry Avenue, A portion of Blocks 727 and 728 (Deet Eichel Enterprises - $406.00)

e. Sidewalk at 945 McHenry Avenue, Lots 1 and 6 of Block 728 (Elks B.P.O.E. No. 1282 - $295.00)

f. Sidewalk at 1437 Rose Avenue, Lot 14 of Block 1171. (Phillip Emery - $312.00)

g. Sidewalk along Yosemite Blvd. at 1915 Yosemite Blvd., A portion of Block 2185 (Glen W. Holm - $766.00)

h. Curb and Sidewalk along El Vecino Avenue at 610 El Cajon Avenue, Lot 10 of Block 607, (Helen E. Hunter - $710.00)

i. Curb and sidewalk along El Vecino Avenue at 614 El Cajon Avenue, Lot 9 of Block 607 ( Thomas D. Hutchings - $757.00)

j. Sidewalk along Yosemite Blvd. at 1503 Yosemite Blvd. A portion of Block 2126 (Sylvia Jacobs - $538.00)

k. Curb and Sidewalk at 112 Kerr Avenue, A portion of Block 2122 (Kentwood Enterprises - $1,832.80)

l. Sidewalk at 1538 Yosemite Blvd., A portion of Block 2122 (La Loma Properties - $714.00)

m. Sidewalk at 724 McHenry Avenue, A portion of Block 619 (Mellis & Mellis $2,226.00)

n. Sidewalk along Westwood Avenue, and Sunrise Avenue, at 1718 Sunrise Avenue, A Portion of Block 1286 (Natalie A. Merck - $885.00)

o. Sidewalk at 1309 McHenry Avenue, A portion of Block 6000-A ( J.P.P.C., Inc. $1702.00)

p. Curb and sidewalk along Nelson Avenue, at 409 E. Roseburg Avenue, A portion of Block 1126, (Richard R. Rhode - $1,406.00)

q. Sidewalk along Standiford Avenue, at 500 Standiford Avenue, A portion of Block 13017 (Velton D. Rogers - $910.00)

r. Sidewalk at 406 Las Palmas Avenue, A portion of Block 2027 (H.E. Sanders $357.00)

s. Sidewalk at 1714 Sunrise Avenue, A Portion of Block 1286 (Liliane M. Sar $430.00)

t. Sidewalk along McHenry Avenue, at 806 McHenry Avenue, A portion of Block 620 (Sundial Restaurant - $792.00)

u. Sidewalk at 941 McHenry avenue, Lot 2 of Block 728 (Tonda & Lyon - $1,005.00)

v. Sidewalk at 1717 Yosemite Blvd., A Portion of Block 2125-A (Torek Development $859.00)

w. Curb and sidewalk at 810 Standiford Avenue, A portion of Block 13112 (L. R. Van Horn, Jr. - $3,860.00)

x. Drive approach at 136 James Street, Lot 7 of Block 213 (Walter P. Wesson $361.00)

y. Curb and sidewalk along Nelson Avenue, at 1249 Nelson Avenue, A portion of Block 1127 (Glen R. Wood - $2,592.00)

z. Curb and Sidewalk at 424 Standiford Avenue, A portion of Block 13042 (Wendell L. Young - $2,610.00)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-249

A RESOLUTION APPOINTING MEMBERS OF THE MODESTO YOUTH COMMISSION (JOHN TURNER, MICHELLE SMITH, ERIC GRANT, GEORGIA ANDRITSAKIS)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons / are hereby appointed to the Modesto Youth Commission for the respective term as indicated:

SEE SCHEDULE "A"

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Modesto Youth Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Appointed:

John Turner
Modesto Christian High School
6533 Carver Road
Modesto, Ca. 95353

Term expires 12/1/83

Michele Smith
Modesto High School
1209 Claret
Modesto, Ca. 95351

Term expires 12/1/83

Eric Grant
Downey High School
717 Scenic View Court
Modesto, Ca. 95354

Term expires 12/1/83

Reappointed:

Georgia Andritsakis
Downey High School
2436 Meadow Rue
Modesto, Ca. 95355

Term expires 6/1/83

MODESTO CITY COUNCIL
RESOLUTION NO. 83-250

A RESOLUTION GRANTING A VARIANCE TO MID-VALLEY ENGINEERING ON BEHALF OF ARLAND DEHART TO PERMIT CONVERSION OF AN EXISTING SINGLE-FAMILY DWELLING TO A DUPLEX LOCATED IN THE R-2 ZONE AT 210 ALTURAS AVENUE IN THE CITY OF MODESTO AND OVERRULING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, an application for a variance from the provision of Section 10-2.608 of the Modesto Municipal Code to permit conversion of an existing single-family dwelling to a duplex on an R-2 zoned corner parcel containing less than the minimum 6,500 square feet at 210 Alturas Avenue in the City of Modesto was filed by Arland DeHart on March 1, 1983, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2001 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant variances subject to findings specified in Section 10-2.2003, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on March 24, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said public hearing, the Board of Zoning Adjustment, by its Resolution No. 1105, found and determined that the application of Arland DeHart for a variance from the provision of Section 10-2.608 of the Modesto Municipal Code to permit conversion of an existing single-family dwelling to a duplex on an R-2 zoned corner parcel containing less than the minimum 6,500 square feet at 210 Alturas Avenue in the City of Modesto should be denied because the applicant failed to demonstrate the existence of the four conditions for a variance as required by Section 10-2.2003 of the Modesto Municipal Code, and

WHEREAS, an appeal was filed by Mid-Valley Engineering on behalf of Arland DeHart with the Modesto City Council by letter dated April 6, 1983, to the decision of the Board of Zoning Adjustment denying a variance from the provision of Section 10-2.608 of the Modesto Municipal Code to permit conversion of an existing single-family dwelling to a duplex on an R-2 zoned corner parcel containing less than the minimum 6,500 square feet at 210 Alturas Avenue in the City of Modesto, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 p.m. on May 3, 1983, at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, at said hearing the Council found and determined that the appeal filed by Mid-Valley Engineering on behalf of Arland DeHart to the decision of the Board of Zoning Adjustment denying a variance to permit conversion of an existing single-family dwelling to a duplex on an R-2 zoned corner parcel containing less than the minimum 6,500 square feet at 210 Alturas Avenue in the City of Modesto should be granted for the following reasons, and that the decision of the Board of Zoning Adjustment should be overruled:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved because of the unusual configuration of the properties involved, the entire block being a small triangular area.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property in question because there are other examples of multiple dwellings on substandard lots in the area.

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located because there will not be structural addition or exterior changes except that off-street parking will be added to the site.

4. The granting of the variance will not adversely affect the comprehensive General Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Mid-Valley Engineering on behalf of Arland DeHart to the decision of the Board of Zoning Adjustment denying a variance from the provision of Section 10-2.608 of the Modesto Municipal Code to permit conversion of an existing single-family dwelling to a duplex on an R-2 zoned corner parcel containing less than the minimum 6,500 square feet at 210 Alturas Avenue in the City of Modesto is hereby granted, the decision of the Board of Zoning Adjustment as set forth in its Resolution No. 1105 is hereby overruled, and a variance is hereby granted from the provision of Section 10-2.608 of the Modesto Municipal Code, subject to the following conditions:

1. All development shall conform to the plot plan titled "Plot Plan and Elevations" as amended in red, stamped approved by the City Council on May 3, 1983.

2. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

3. The applicant shall record a "Notice of Conditions" in the Stanislaus County Recorder's Office on a form available in the Planning and Community Development Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside<br>Mayor Mensinger |
| NOES: | Councilmembers: | Patterson |
| ABSENT: | Councilmembers: | None |

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Lewyn L. Johnson
LEWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-251

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE PARADISE-ELLEN TO CARPENTER PROJECT (BONZI).

(Name of Project and Property Owners Name)

WHEREAS, on April 5, 19 83, the Council of the City of Modesto by Resolution No. 83-186 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on May 3, 19 83, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of the widening of a portion of Paradise Road located between Ellen Avenue and Carpenter Road in the City of Modesto, as part of the Paradise-Ellen to Carpenter Project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 37350.5, 37351, 37353, and 40404 of the Government Code, Sections 1240.110(a) and 1240.510 of the Code of Civil Procedure, and Article I, §19 of the Constitution of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

5. The real property which is hereinafter described consists of a parcel approximately 267 feet by 46 feet, located east of the existing centerline of Paradise Road and north of the existing centerline of Mayette Avenue and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

All that portion of the Northeast quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the Southwest corner of the Northwest quarter of the Northeast quarter of said Section 6; thence along the quarter quarter section line, North 89° 29' 18" East, 629.73 feet, to the Southerly extension of the Western line of LUCK ESTATES Subdivision, as per map filed August 8, 1978 in Volume 27 of Maps, Page 86, Stanislaus County Records; thence along said Southerly extension and said Western line of Luck Estates, North 00° 30' 42" West, 540.54 feet, to the Northwest quarter of Luck Estates and the Southwestern corner of the property conveyed to Rudy Bonzi, et ux, by Deed recorded June 8, 1978 in Book 3063, Page 132, as Instrument 77707, Stanislaus County Records; thence continuing along the Western line of said Bonzi property, North 00° 30' 42" West, 357.02 feet, to the Southern line of Paradise Road and the true point of beginning of this description; thence along said Southerly line of Paradise Road, North 49° 53' 03" East, 266.63 feet, to the Northeastern corner of said Bonzi property; thence along an Eastern line of the Bonzi

property, South 00° 30' 42" East, 42.33 feet, to a point on a non-tangent curve from which point a radial line bears North 43° 59' 36" West; thence Southwesterly along said non-tangent curve concave to the Northwest, having a Radius of 1240.00 feet, a Central Angle of 3° 58' 38" and an Arc Length of 96.07 feet; thence along a tangent line, South 49° 59' 02" West, 182.71 feet, to said Western line of the Bonzi property; thence along the Western line of the Bonzi property, North 00° 30' 42" West, 45.60 feet, to the point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 19 83, by Councilmember Lang, who moved it adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 83-252

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE PARADISE-ELLEN TO CARPENTER PROJECT (BRIGHT).

(Name of Project and Property Owners Name)

WHEREAS, on April 5, 19 83, the Council of the City of Modesto by Resolution No. 83-186 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on May 3, 19 83, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of the widening of a portion of Paradise Road located between Ellen Avenue and Carpenter Road in the City of Modesto, as part of the Paradise-Ellen to Carpenter Project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 37350.5, 37351, 37353, and 40404 of the Government Code, Sections 1240.110(a) and 1240.510 of the Code of Civil Procedure, and Article I, §19 of the Constitution of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

5. The real property which is hereinafter described consists of a parcel approximately 15 feet by 164 feet, located east of the existing centerline of Paradise and north of the existing centerline of Wade Street and Harris Avenue, and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

All that portion of the Northeast quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the Southwest corner of the North one-half of the Northeast quarter of said Section 6; thence along the West line of said Northeast quarter of Section 6, North 00° 11' 06" West, 426.15 feet, to the center line of a former County road known as Paradise Road; thence along said center line of Paradise Road, North 49° 53' 03" East, 343.75 feet, to the Northerly extension of the West line of the property conveyed to Gary E. Bright, et ux, by Deed recorded February 27, 1968, as Instrument 6180, Stanislaus County Records; thence along said Northerly extension, South 00° 11' 06" East, 66.05 feet, to the Northwest corner of said Bright property and the true point of beginning of this description; thence along the Northwesterly line of said Bright property, said line also being the Southeasterly line of land conveyed to Stanislaus County by Road Deed recorded March 28, 1968 in Book 2213 of Official Records, Page 487, Stanislaus County Records, North 48° 49' 34" East, 163.55 feet, to the Northeasterly corner of said Bright property; thence along the East line of said Bright property, South 00° 51' 31" East, 15.46 feet; thence South 49° 59' 02" West, 161.00 feet, to the West line of said Bright property; thence along said West line, North 00° 11' 06" West, 11.30 feet, to the point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Lang, who moved it adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Jerry H Smith
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 83-253

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE OAKDALE-BRIGGSMORE TO FLOYD PROJECT (GONSALVES/AHLES).

(Name of Project and Property Owners Name)

WHEREAS, on April 12, 1983, the Council of the City of Modesto by Resolution No. 83-212 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on May 3, 1983, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of the widening of a portion of Oakdale Road located between Briggsmore Avenue and Floyd Avenue in the City of Modesto, as part of the Oakdale-Briggsmore to Floyd Project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 37350.5, 37351, 37353, and 40404 of the Government Code, Sections 1240.110(a) and 1240.510 of the Code of Civil Procedure, and Article I, §19 of the Constitution of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

5. The real property which is hereinafter described consists of a parcel approximately 5 feet by 239 feet, located approximately 20 feet east of the existing centerline of Oakdale Road, and approximately 418 feet south of the existing centerline of Merle Avenue, and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

All that portion of the Southwest quarter of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 3 of the O. McHENRY RANCH, as per map filed February 14, 1905 in Volume 2 of Maps, Page 7, Stanislaus County Records, described as follows:

Commencing at the Southwestern corner of said Lot 3; thence along the Western line of said Lot 3 and the centerline of a former 40.00 foot County Road known as Oakdale Road, North 00° 19' West, 665.04 feet, to the Southwestern corner of the property conveyed to Donald R. Gonsalves, a single man, and Genevieve Ahles, a married woman, as her sole and separate property, by Deed recorded September 25, 1975, as Instrument 13764, Stanislaus County Records; thence along the Southern line of said Gonsalves and Ahles property, South 89° 26' East, 20.00 feet, to a point on the Eastern line of former 40.00 foot Oakdale Road , and the true point of beginning of this description; thence continuing South 89° 26' East, 5.00 feet, to a point on the said Southern property line; thence North 00° 19' West, 239.08 feet, to a point on the North property line of said Gonsalves and Ahles property; thence North 89° 30' 30" West, 5.00 feet, to a point on said Eastern line of former 40.00 foot Oakdale Road; thence South 00° 19' East, 239.07 feet, to the point of beginning, said area being 0.027 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 19 83, by Councilmember Bright, who moved it adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 83-254

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE OAKDALE-BRIGGSMORE TO FLOYD PROJECT (NARAGHI).

(Name of Project and Property Owners Name)

WHEREAS, on April 12, 1983, the Council of the City of Modesto by Resolution No. 83-212 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on May 3, 1983, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of the widening of a portion of Oakdale Road located between Briggsmore Avenue and Floyd Avenue in the City of Modesto, as part of the Oakdale-Briggsmore to Floyd Project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 37350.5, 37351, 37353, and 40404 of the Government Code, Sections 1240.110(a) and 1240.510 of the Code of Civil Procedure, and Article I, §19 of the Constitution of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

5. The real property which is hereinafter described consists of a parcel approximately 398 feet by 5 feet, with the northernmost portion of said parcel increasing to a width of approximately 45 feet south of the intersection of Merle Avenue and Oakdale Road, the entire parcel being located approximately 20 feet east of the existing centerline of Oakdale Road, and approximately 20 feet south of the existing centerline of Merle Avenue, and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

All that portion of the Southwest quarter of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 3 of the O. McHENRY RANCH, as per map filed February 14, 1905 in Volume 2 of Maps, Page 7, Stanislaus County Records, described as follows:

Commencing at the Southwestern corner of said Lot 3; thence along the Western line of Lot 3 and the center line of the former 40.00 foot County road known as Oakdale Road, North 00° 19' West, 904.09 feet, to the Northwestern corner of the property conveyed to Donald R. Gonsalves, a single man, and Genevieve Ahles, a married woman as her sole and separate property, by Deed recorded September 25, 1975, as Instrument 13764, Stanislaus County Records; thence along the Northern line of said Gonsalves and Ahles property, South 89° 30' 30" East, 20.00 feet, to a point on the Eastern line of former 40.00 foot Oakdale Road and the true point of beginning of this description; thence along said Eastern line of former 40.00 foot Oakdale Road, North 00° 19' West, 397.99 feet, to a point on the Southern line of 40.00 foot Merle Avenue; thence along said Southern line of Merle Avenue, South 89° 29' 55" East, 45.43 feet; thence along a line a right angles to the Southern line of Merle Avenue, South 00° 30' 05" West, 15.00 feet; thence Southwesterly along a non-tangent curve concave to the Southeast, having a Radius of 15.00 feet, a Central Angle of 90° 49' 05" and an Arc Length of 23.78 feet; thence along a radial line, said line being at right angles to said centerline of Oakdale Road, South 89° 41' West, 25.00 feet, to a point on a line which is parallel with and 25.00 feet, measured at right angles, Easterly from the centerline of Oakdale Road; thence along said parallel line, South 00° 19' East, 367.41 feet, to a point on said Northern line of the Gonsalves and Ahles property; thence along said last mentioned Northern line, North 89° 30' 30" West, 5.00 feet, to the point of beginning, said area being 0.070 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Bright, who moved it adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 83-255

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE OAKDALE-BRIGGSMORE TO FLOYD PROJECT (LORETELLI).

(Name of Project and Property Owners Name)

WHEREAS, on April 12, 1983, the Council of the City of Modesto by Resolution No. 83-212 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on May 3, 1983, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of the widening of a portion of Oakdale Road located between Briggsmore Avenue and Floyd Avenue in the City of Modesto, as part of the Oakdale-Briggsmore to Floyd Project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 37350.5, 37351, 37353, and 40404 of the Government Code, Sections 1240.110(a) and 1240.510 of the Code of Civil Procedure, and Article I, §19 of the Constitution of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

5. The real property which is hereinafter described consists of a parcel approximately 641 feet by 5 feet, with the southernmost portion of said parcel increasing to a width of approximately 45 feet north of the intersection of Merle Avenue and Oakdale Road, the entire parcel being located approximately 20 feet east of the existing centerline of Oakdale Road, and approximately 20 feet north of the existing centerline of Merle Avenue, and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

All that portion of the Southwest quarter of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 3 of the O. McHENRY RANCH, as per map filed February 14, 1905 in Volume 2 of Maps, Page 7, Stanislaus County Records, described as follows:

Commencing at the Northwestern corner of the South half of the Northwest quarter of said Lot 3, said point being on the center line of the former 40.00 foot County Road known as Oakdale Road; thence along the Northern line of said South half of the Northwest quarter of Lot 3, South 89° 30' 28" East, 20.00 feet, to the Eastern line of former 40.00 foot Oakdale Road and the true point of beginning of this description; thence along said Eastern line of former 40.00 foot Oakdale Road, South 00° 19' East, 640.90 feet, to a point on the Northern line of 40.00 foot Merle Avenue; thence along said Northern line of 40.00 foot Merle Avenue, South 89° 29' 55" East, 44.58 feet; thence along a line at right angles to the Northern line of Merle Avenue, North 00° 30' 05" East, 15.00 feet; thence Northwesterly along a non-tangent curve concave to the Northeast, having a Radius of 15.00 feet, a Central Angle of 89° 10' 55" and an Arc Length of 23.35 feet; thence along a radial line, said line being at right angles to said center line of Oakdale Road, South 89° 41" West, 25.00 feet, to a point on a line which is parallel with and 25.00 feet, measured at right angles, Easterly from the centerline of Oakdale Road; thence along said parallel line, North 00° 19' West, 611.47 feet, to a point on said Northern line of the South half of the Northwest quarter of Lot 3; thence along said last mentioned Northern line, North 89° 30' 28" West, 5.00 feet, to the point of beginning, said area being 0.097 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Bright, who moved it adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 83-256

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE OAKDALE-BRIGGSMORE TO FLOYD PROJECT (BAUMAN).

(Name of Project and Property Owners Name)

WHEREAS, on April 12, 1983, the Council of the City of Modesto by Resolution No. 83-212 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on May 3, 1983, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of the widening of a portion of Oakdale Road located between Briggsmore Avenue and Floyd Avenue in the City of Modesto, as part of the Oakdale-Briggsmore to Floyd Project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 37350.5, 37351, 37353, and 40404 of the Government Code, Sections 1240.110(a) and 1240.510 of the Code of Civil Procedure, and Article I, §19 of the Constitution of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

5. The real property which is hereinafter described consists of a parcel approximately 5 feet by 661 feet, located approximately 20 feet east of the existing centerline of Oakdale Road, and approximately 661 feet north of the existing centerline of Merle Avenue, and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

All that portion of the Northwest quarter of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The Western 5.00 feet, measured at right angles, of Lot 10 of the OREGON COLONY, as per map filed February 19, 1910 in Volume 4 of Maps, Page 48, Stanislaus County Records, said area being 0.076 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Bright, who moved it adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Larry H. Bitch
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 83-257

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 14-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MT. VERNON INVESTMENT GROUP/ARLO HILKEY)

**WHEREAS, on** May 3, **19** 83, **the City Council** introduced Ordinance No. 2186-C.S. **giving approval to a project relating to** an amendment to Section Map 14-3-9 of the Zoning Map of the City of Modesto to rezone Phases 2, 3 and 4 of Planned Development Zone, P-D(242) to Low Density Residential Zone, R-1, **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 14-3-9 of the Zoning Map of the City of Modesto to rezone Phases 2, 3 and 4 of Planned Development Zone, P-D(242) to Low Density Residential Zone, R-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Patterson, Whiteside

NOES: Councilmembers: Muratore, Sutton, Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 258

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 81-218 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(297)".

WHEREAS, the City Council, by Ordinance No. 2026, which was introduced on March 24, 1981, finally adopted on April 7, 1981, and which became effective on May 7, 1981, amended Section 31-3-9 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(297), for a small lot subdivision without zero lot line siting of dwellings on the northeast corner of Carpenter Road and Houser Lane, and

WHEREAS, City Council Resolution No. 81-218, adopted on March 24, 1981, approved the development plan and contained the conditions of approval and the development schedule for P-D(297), and

WHEREAS, Resolution No. 81-218 specified construction was to be in one phase, to start on or before January 1, 1983, and completion to be January 1, 1985, which starting date has passed, causing said P-D(297) to expire, and

WHEREAS, after approval of P-D(297), the City allowed non-zero lot line type development to occur on the Shasta Meadows, P-D(255) zero lot line project then ready for immediate construction, on the basis that if the City was not satisfied with the standard 5 foot sideyard siting of dwellings on the small lots, P-D(297) would be amended to require zero lot line development, and

WHEREAS, a public hearing for review and modification of P-D(297) was set for April 3, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, by Planning Commission Resolution No. 83-42, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 83-51, found and determined that the plans for P-D(297) should be revised for zero lot line development and that a one-year time extension should be granted for the following reasons:

1. Zero lot line design is superior to conventional siting on small lots, particularly by maximizing usable private open space rather than losing it to unusable sideyards.

2. Good cause for a modification for a one-year time extension has been shown due to progress on the project including map recordation, installation of utilities and some off-site improvements construction.

and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on May 2, 1983, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to the development schedule of P-D(297) and the recommended revised zero lot line development requirement for the Carpenter Plaza Subdivision at the northeast corner of Carpenter Road and Houser Lane are required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 83-51 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Condition 1 of Section 1 of Modesto City Council Resolution No. 81-218 entitled "A Resolution Approving a Development Plan for Planned-Development Zone, P-D(297)" is hereby amended to read as follows:

1. Prior to issuance of a building permit for any structure, revised plans for zero lot line development shall be submitted for approval as authorized in Section 10-2.2708(b) of the Modesto Municipal Code.

BE IT FURTHER RESOLVED that Section 2 of said Resolution No. 81-218 is hereby amended to read as follows:

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(297):

> The entire construction program shall be accomplished in one phase, construction to begin on or before April 4, 1984, and completion to be by January 1, 1985."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Patterson, Sutton, Whiteside

NOES: Councilmembers: Bright, Muratore, Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-259

A RESOLUTION DENYING THE REZONING OF PLANNED-DEVELOPMENT ZONE, P-D(202), TO MEDIUM DENSITY RESIDENTIAL ZONE, R-2, AS RECOMMENDED BY THE PLANNING COMMISSION, AND GRANTING A ONE YEAR EXTENSION OF TIME TO THE DEVELOPMENT SCHEDULE OF P-D(202).

WHEREAS, the Modesto City Council, by Ordinance No. 1780-C.S., which became effective on December 6, 1978, amended Section Map 13-3-8 of the Zoning Map to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D(202), for a fruit stand on the south side of Rumble Road east of Sisk Road, and

WHEREAS, the City Council, by Resolution No. 78-1097, approved a development plan for Planned-Development Zone, P-D(202), with conditions of approval and a development schedule which specified that the construction be in one phase, with construction to begin on or before January 1, 1980 and be completed not later than January 1, 1981, and

WHEREAS, on December 21, 1981, the Planning Commission by Resolution No. 81-259 granted a third one-year time extension to the development schedule calling for construction to begin on or before January 1, 1983, and be completed by January 1, 1984, and

WHEREAS, on March 21, 1983, the Planning Commission by Resolution No. 83-40 set a date for public hearing to review P-D(202) and modify or repeal it since the development schedule had expired and construction had not begun, and

WHEREAS, a public hearing was held by the Planning Commission on April 4, 1983, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Planning Commission by Resolution No. 83-55, adopted on April 4, 1983, found and determined that Planned Development Zone, P-D(202), was

not required by public necessity, convenience, or general welfare for the reasons set forth in Planning Commission Resolution No. 83-55, and

WHEREAS, by Resolution No. 83-55, adopted on April 4, 1983, the Planning Commission recommended to the City Council that Section 13-3-8 of the Zoning Map of the City of Modesto be amended to repeal Planned-Development Zone, P-D(202), to Medium Density Residential Zone, R-2, property located at the south side of Rumble Road east of Sisk Road, in the City of Modesto, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto, at 4:00 p.m. on May 3, 1983, at which time evidence, both oral and documentary, was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that after a public hearing held on May 3, 1983, it finds and determines that the recommended rezoning of Planned-Development Zone, P-D(202), to Medium Density Residential Zone, R-2, is not required by public necessity, convenience and general welfare and that good cause has been shown for a one year time extension of the development schedule of P-D(202).

BE IT FURTHER RESOLVED that for the reason set forth above, the Council hereby grants a one year time extension to the development schedule of P-D(202) to read as follows:

> That all development shall be accomplished in one phase, construction to begin on or before May 1, 1984, and completion to be not later than May 1, 1985.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Muratore, Patterson, Sutton, Whiteside, Vice Mayor Bright

NOES: Councilmembers: Lang

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-260

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF ELECTRICAL OUTLETS AT TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of electrical outlets at Tuolumne River Regional Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 24, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-261

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RECONSTRUCTION OF PUMP STATION NO. 4

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the reconstruction of Pump Station No. 4

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 24, 1983, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-262

**A RESOLUTION ACCEPTING THE** STRENGTHENING OF WATER SYSTEM WEST ON GLORIA WAY AND IN ALLEY IN BLOCK 1115

**WHEREAS, a repcrt has been filed by the** Director of Engineering **that the** strengthening of water system west on Gloria Way and in alley in Block 1115 **has been ccmpleted by** Boulder Construction

**in accordance with the contract agreement dated** October 21, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the** strengthening of water system west on Gloria Way and in alley in Block 1115 **be accepted from said contractor,** Boulder Construction;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $22,975 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 3rd **day of** May, **19** 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-263

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FOR FURNISHING ROCK, SAND, AND GRAVEL PRODUCTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of rock, sand and gravel products

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 24, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-264

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TREE LODGE POLES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of tree lodge poles

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 24, 1983, at 2:30 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-265

A RESOLUTION ACCEPTING THE BID OF CENTER STATE PIPE AND SUPPLY ON ITEM I (HAWS MODEL 3376) - HANDICAPPED ACCESSIBLE DRINKING FOUNTAINS

WHEREAS, Resolution No. 83-150, adopted by the Council of the City of Modesto on March 22, 1983, approved the plans and specifications for the purchase of handicapped accessible drinking fountains and authorized the calling for bids; and

WHEREAS, the bids received for the handicapped accessible drinking fountains were opened at 2:00 p.m. on April 19, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Center State Pipe and Supply on Item 1 in the amount of $4,067.20 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Center State Pipe and Supply on Item 1 in the amount of $4,067.20 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-266

A RESOLUTION ACCEPTING THE BID OF PIPELINE PRODUCTS ON ITEM II (HAWS MODEL 3176) - HANDICAPPED ACCESSIBLE DRINKING FOUNTAINS

WHEREAS, Resolution No. 83-150, adopted by the Council of the City of Modesto on March 22, 1983, approved the plans and specifications for the purchase of handicapped accessible drinking fountains and authorized the calling for bids; and

WHEREAS, the bids received for the handicapped accessible drinking fountains were opened at 2:00 p.m. on April 19, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Pipeline Products on Item II in the amount of $562.86 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Pipeline Products on Item II in the amount of $562.86 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Hensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-267

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON APPLICATION BY DELTA PAPER STOCK, INC. FOR A LICENSE TO COLLECT SALVAGEABLE WASTE IN THE CITY OF MODESTO

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** May 24, 1983 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an application by Delta Paper Stock, Inc. for a license to collect salvageable waste in the City of Modesto.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 3rd **day of** May **, 19** 83 **, by Councilmember** Muratore **, who moved its adoption, which motion being duly seconded by Councilmember** Bright **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-268

A RESOLUTION ESTABLISHING LIMITATIONS ON THE USE OF WATER FROM THE MUNICIPAL WATER SYSTEM FROM JUNE 1, 1983 THROUGH AUGUST 31, 1983.

WHEREAS, the City of Modesto obtains its entire supply of domestic water from 48 deep well pumping stations, and

WHEREAS, the conservation of ground water is a prudent and desirable goal and is necessary for the public health and safety, and

WHEREAS, it is timely for the City of Modesto to take those steps necessary to help insure an adequate local supply of water, and

WHEREAS, peak water demands on the municipal water system occur between the hours of 4 p.m. and 8 p.m. from June 1, through August 31, and

WHEREAS, the Modesto Irrigation District has advised that the peak electric power demands on the Modesto Irrigation District system occur between the hours of 4 p.m. and 8 p.m. from June 1, through August 31, and

WHEREAS, the University of California Cooperative Extension Service has advised that it is best to water lawns deeply, infrequently, and in the mornings, and

WHEREAS, Section 11-1.14, subsection (q), of the Modesto Municipal Code authorizes this Council to establish rules or regulations by resolution concerning the city's municipal water system,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The irrigation of all landscaped areas (lawns, ornamental gardens, shrubs, ornamental trees, etc.) from water supplied by the municipal water system is prohibited between the hours of 4 p.m. and 8 p.m. of each day, except Sundays, from June 1, 1983, through August 31, 1983.

2. Violations of the above prohibition are declared to be a waste of water and shall be handled by the Director of Utility Services in accordance with the provisions of Section 11-1.14 of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmembr Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-269

A RESOLUTION ESTABLISHING GUIDELINES TO BE USED IN CONSIDERING APPLICATIONS FOR PERMISSION TO ESTABLISH NEW COMMERCIAL OPERATIONS AT THE MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD, AND RESCINDING RESOLUTION NO. 67-100.

WHEREAS, from time to time the City Council receives applications for the establishment of new commercial operations at the Modesto City-County Airport/Harry Sham Field, and

WHEREAS, by Resolution No. 67-100, which was adopted on February 13, 1967, the Council established guidelines to follow in considering applications for permission to establish commercial operations at the Modesto City-County Airport/Harry Sham Field, and

WHEREAS, City staff has recommended the adoption of revised Fixed Base Operator's Guidelines which include a change in insurance requirements and provide new guidelines for the development of Fixed Base Operator's land parcels which are shown on the Airport Master Plan, and

WHEREAS, the proposed revised guidelines have been reviewed and approved by the Airport Advisory Committee and the Fixed Base Operators, and

WHEREAS, the Council desires to update the existing guidelines,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following guidelines to be used by said Council when considering applications for permission to establish new commercial operations at the Modesto City-County Airport/Harry Sham Field, hereinafter referred to as "Airport".

SECTION 1. GENERAL. The requirements set forth in this resolution for the establishment of new commercial operations at the airport are intended to be guidelines only. The City Council in adopting these guidelines does not intend them to be regarded as fixed or rigid requirements.

SECTION 2. GUIDELINES FOR FLIGHT AND AIRCRAFT SALES OPERATORS:

(a) Fixed Base Operators shall be required to lease either existing facilities at the airport, or construct or lease an office of at least 2,500 square feet, properly lighted with public lounge, and restrooms.

(b) Adjacent to the building described hereinabove, the Fixed Base Operator shall lease or construct an aircraft hangar of at least 6,000 square feet with an aircraft parking ramp capable of supporting 12,500 lbs. gross weight aircraft, a minimum size of 40,000 square feet.

(c) Adjacent to the buildings described above, the Fixed Base Operator shall construct or lease a paved auto parking lot. This auto parking lot shall have a minimum of 20,000 square feet.

(d) Fixed Base Operators shall have an FAA approved flight training school, air taxi operators permit, a major aircraft dealership with aircraft sales and maintenance operation.

(e) Fixed Base Operators shall be required to furnish to City, a Certificate of Insurance evidencing public liability and property damage insurance as set forth in the Municipal Code.

(f) Every Fixed Base Operator application shall include the following information:

(1) Names and addresses of proposed owners and managers.

(2) Statement of proposed method of operating business, E. G., type of aircraft dealership, single engine or multi-engine air taxi.

(3) Type of buildings proposed, their location and timetable for their lease or construction.

(4) Statement of qualification of proposed owners and managers.

(5) Financial Statement that outlines in detail the proposed methods to finance and operate the Fixed Base Operation.

(6) Such other information as may be necessary for the City to properly evaluate and act upon this application.

SECTION 3. GUIDELINES FOR GENERAL AIRCRAFT MAINTENANCE AND REPAIR SHOP OPERATORS:

(a) General aircraft maintenance and repair shop operators shall be required to either lease existing building space at the airport, if it is available, or lease land at the airport and construct a building with a minimum size of 3,600 square feet. Said building shall meet and conform with all of the building regulations of the City of Modesto as contained in the Modesto Municipal Code. The size and design of the building shall be approved by City.

(b) General aircraft maintenance and repair shops shall be open to the public at least five (5) days a week, on an eight (8) hour a day basis, and shall have adequate equipment to provide general overhaul and repair of aircraft.

(c) General aircraft maintenance and repair shop operators shall be required to furnish to City a policy or certificate of insurance evidencing public liability and property damage insurance as set forth in the Municipal Code.

The Council may, in considering each application covered by this section, require additional insurance coverage. Any such additional coverage will be based upon the type of operation proposed by each individual application.

(d) Every application for permission to operate a maintenance and repair shop at the airport shall include the following information:

(1) Type of business proposed.

(2) Names and addresses of proposed owners and managers.

(3) Statement of proposed method of operating business.

(4) Type of building proposed, its location and timetable for its lease or construction.

(5) Type and amount of equipment proposed to be installed and used in the maintenance and repair shop.

(6) Statement of qualifications of proposed owners and managers.

(7) Financial statement.

(8) Such other information as may be necessary for City to properly evaluate and act on the application.

SECTION 4. GUIDELINES FOR GASOLINE AND OIL SALES OPERATORS:

(a) New gasoline dispensing facilities at the airport shall be equal to the facilities now maintained at said airport, and shall meet and conform with all regulations of the City of Modesto as contained in the Modesto Municipal Code.

(b) Gasoline and oil sales operations shall be open to the public seven (7) days a week, between the hours of 8:00 o'clock A.M. and sunset each day, minimum.

(c) Gasoline and oil sales operators shall be required to furnish to City a policy or certificate of insurance evidencing public liability and property damage insurance as set forth in the Municipal Code.

The council may, in considering each application covered by this section, require additional coverage. Any such additional coverage will be based upon the type of operation proposed by each individual application.

(d) Every application for permission to operate a gasoline and oil sales business at the airport shall include the following information:

(1) Type of business proposed.

(2) Names and addresses of proposed owners and managers.

(3) Statement of proposed method of operating business.

(4) Type of facility proposed, its location and timetable for its construction.

(5) Statement of qualifications of proposed owners and managers.

(6) Financial statement.

(7) Such other information as may be necessary for City to properly evaluate and act on the application.

SECTION 5. GUIDELINES FOR SPECIALIZED COMMERCIAL AVIATION SERVICES:

(a) The type, size and design of building space to be leased or constructed for specialized commercial aviation services, such as accessory repairs, instrument repairs, propeller repairs, paint shops, etc., shall be determined by the City Council on an individual basis according to the type and size of operation proposed and current practices prevalent in the field of general aviation business in California.

(b) Specialized commercial aviation services shall be open to the public at least five (5) days a week, on an eight (8) hour a day basis and shall have adequate equipment to provide the type of special aviation service carried on.

(c) Specialized commercial aviation operators shall be required to furnish to City a policy or certificate of insurance evidencing public liability and property damage insurance as set forth in the Municipal Code.

The Council, may in considering each application covered by this section, require additional insurance coverage. Any such additional coverage will be based upon the type of operation proposed by each individual application.

(d) Every application for permission tc operate a specialized commercial aviation service at the airport shall include the following information:

(1) Type of business proposed.

(2) Names and addresses of proposed owners and managers.

(3) Statement of proposed method of operating business.

(4) Type of building proposed, its location and timetable for its lease or construction.

(5) Type and amount of equipment proposed to be installed and used.

(6) Statement of qualifications of proposed owners and managers.

(7) Financial statement.

(8) Such other information as may be necessary for City to to properly evaluate and act on the application.

SECTION 6. REPEAL: Resolution No. 67-100 adopted by the Council on February 13, 1983, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember: Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-270

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** PAULINE LORRAINE GOMES AND MICHAEL CASTRO FOR THE LEASE OF THE CITY-OWNED HOUSE AT 660 EL VISTA

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Pauline Lorraine Gomes and Michael Castro for the lease of the City-owned house at 660 El Vista

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 3rd **day of** May, **19**83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-271

HOLD HARMLESS

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** STANISLAUS COUNTY FOR POLICE DEPARTMENT USE OF TWO PRISONER TRANSPORTATION VANS AND ONE BUS ON JUNE 11 AND 12, 1983

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Stanislaus County for Police Department use of two prisoner transportation vans and one bus owned by the County of Stanislaus, on June 11 and 12, 1983

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 3rd **day of** May, **19** 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-272

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $251 FROM CONTINGENCY RESERVE FOR ADDITIONAL COSTS INCURRED ON T-HANGAR "J" CONSTRUCTION PROJECT

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Airport Contingency Reserve for Pending Projects (6104-8911-64) | $251.00 |
| TO: | T-Hangar J (6510-00) | $251.00 |

Additional costs incurred by City forces for additional asphalt paving to joint adjacent surfaces on T-Hangar "J" construction project.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 3rd **day of** May, **19** 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-273

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $153 FROM CONTINGENCY RESERVE FOR MODIFICATION OF THE TERMINAL REST ROOMS AT THE CITY-COUNTY AIRPORT

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Airport Contingency Reserve for Pending Projects (6104-8911-64) | $153.00 |
| TO: | Modify Rest Rooms/Terminal (6472-00) | $153.00 |

Needed as a result of a change order issued to the contractor to repair a pipe in the floor radiant heating system.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 3rd **day of** May, **19** 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-274

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CANCEL A LOAN AGREEMENT WITH THE CALIFORNIA STATE ENERGY COMMISSION AND RESCINDING RESOLUTION NO. 83-51.

WHEREAS, on January 25, 1983 by Resolution No. 83-51 this Council approved a loan agreement with the California State Energy Commission whereby the City would borrow $166,423.00 to finance an accelerated program for converting selected street lights to high pressure sodium vapor, and

WHEREAS, because of lower interest rates, the loan is no longer an economically beneficial way for the City of Modesto to finance said street light conversions, and

WHEREAS, the Council desires to cancel said loan and to finance said street light conversions with other monies,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize the City Manager to take whatever steps are necessary to cancel the loan agreement with the California State Energy Commission approved by Resolution No. 83-51.

BE IT FURTHER RESOLVED that Resolution No. 83-51 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-275

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** FOR PRESENTATION OF 1983-84 PRELIMINARY BUDGET AND FOUR-YEAR CAPITAL IMPROVEMENT PROGRAM 1983-84 THROUGH 1986-87

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** June 7, 1983 **, at** 4:00 . **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** the presentation of the 1983-84 Preliminary Budget and Four-Year Capital Improvement Program 1983-84 through 1986-87.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 3rd **day of** May **,** 19 83 **, by Councilmember** Muratore **, who moved its adoption, which motion being duly seconded by Councilmember** Bright **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-276

A RESOLUTION DENYING THE APPEAL OF HILLERY MOTORS TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING ITS APPEAL REGARDING THE INTERPRETATION OF THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT OF THE CITY OF MODESTO'S SIGN REGULATIONS AND AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, by letter dated January 17, 1983, the Director of Planning and Community Development informed Hillery Motors that they were permitted only one freestanding or projecting sign for their dealership, and

WHEREAS, Hillery Motors appealed this ruling on the basis that one sign should be allowed for its Isuzu franchise and one sign for its Mazda franchise, and

WHEREAS, Section 10-2.1904(b) of the Modesto Municipal Code authorizes the Board of Zoning Adjustment to hear appeals from administrative decisions, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on February 24, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing the Board of Zoning Adjustment by its Resolution No. 1101 found and determined that:

1. Hillery Motors is consolidating geographically separate parts of its operation onto a single site.

2. The consolidated site is a single land use, one automotive dealership, and therefore is entitled to only one freestanding or projecting sign.

and

WHEREAS, the Board of Zoning Adjustment also found and determined that the decision of the Director of Planning and Community Development of the City of Modesto to permit only one freestanding or projecting sign for Hillery

Motors should be affirmed and the appeal from that decision by Hillery Motors should be denied, and

WHEREAS, an appeal was filed by Michael C. Normoyle on behalf of Hillery Motors to the decision of the Board of Zoning Adjustment affirming the decision of the Director of Planning and Community Development, and

WHEREAS, said matter was set for public hearing before the Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on May 10, 1983, at which time evidence both oral and documentary was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal to the decision of the Director of Planning and Community Development of the City of Modesto as affirmed by Board of Zoning Adjustment Resolution No. 1101 denying Hillery Motors one freestanding or projecting sign for its Isuzu franchise and one sign for its Mazda franchise is hereby denied for the reasons set forth in said Board of Zoning Adjustment Resolution No. 1101 and set forth above.

BE IT FURTHER RESOLVED that the decision of the Board of Zoning Adjustment affirming the decision of the Director of Planning and Community Development and denying the appeal of Hillery Motors to the determination of the Director of Planning and Community Development to permit Hillery Motors only one freestanding or projecting sign for their dealership is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Council-member Muratore, who moved its adoption, which motion being duly seconded by

Councilmember Bright, was upon roll call carried and resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | Patterson |
| ABSENT: | Councilmembers: | None |

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-277

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAPS 23-3-9 AND 26-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (DAVID CERUTTI)

**WHEREAS, on** May 10 **, 19** 83 **, the City Council** introduced Ordinance No. 2187-C.S. **giving approval to a project relating to** an amendment to Section Maps 23-3-9 and 26-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2 **, and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Maps 23-3-9 and 26-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2 **.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-278

A RESOLUTION GRANTING THE APPEAL OF RETTIG BROS. TO THE DECISION OF THE PLANNING COMMISSION WHICH DENIED AN AMENDMENT TO SECTION 25-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO TO REZONE FROM R-1 TO PLANNED DEVELOPMENT ZONE, P-D, TO ALLOW EXPANSION OF A NON-CONFORMING ENGINE REMANUFACTURING AND AUTO PARTS AND SUPPLIES SALES BUSINESS; OVERRULING THE DECISION OF THE PLANNING COMMISSION; AND APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(339).

WHEREAS, a verified application to amend Section 25-3-8 of the Zoning Map was filed by Rettig Bros. on December 1, 1982, to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, to allow expansion of a non-conforming engine remanufacturing and auto parts and supplies sales business, property located at 2612 Woodland Avenue on the South side of Woodland Avenue opposite Poust Road described as follows:

All that certain real property situate in a portion of the Northwest Quarter of Section 25, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, City of Modesto, State of California, more particularly described as follows:

Commencing at the Northeast corner of Lot 1 of Block 5471, as shown on the Official Map of Woodland Estates, recorded in Book 28 of Maps, at Page 59; thence South 1°39'13" East, 1.82 feet to the point of beginning of this description; thence North 88°23'47" East, 250.00 feet; thence South 1°39'13" East, 245.00 feet; thence South 88°28'47" West, 250.00 feet; thence North 1°39'13" West, 244.87 feet to the point of beginning of this description.

Including also all of the southern one-half of 60.00 foot wide Woodland Avenue and the western one-half of 50.00 foot wide Mercy Avenue immediately adjacent to the above described property.

and

WHEREAS, on February 7, 1983, by Resolution No. 83-19, the Planning Commission denied the application of Rettig Bros. to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, to allow a building expansion of their auto engine remanufacturing and parts establishment at 2612 Woodland Avenue on the southwest corner of Woodland Avenue and Mercy Avenue extended, for the following reasons:

1. The applicant's proposed 9800 square foot building addition constitutes an expansion of an industrial use which properly should be located in an M-1 Zone and does not belong in a newly emerging and otherwise desirable residential area.

2. While the applicant's business is a legal non-conforming use and therefore may remain indefinitely, it should not be allowed to expand to the detriment of the surrounding residential area.

and

WHEREAS, Section 10-2.2110 of the Modesto Municipal Code states that the Planning Commission's decision in denying a rezoning shall be final unless an appeal to the Council is filed by the applicant within 15 days, and

WHEREAS, Section 10-2.2103 specifies that no application shall be accepted by the Planning Commission for a rezoning until one year has elapsed since a previous denial on property except that the Planning Commission or City Council may waive the one year limitation for changed circumstances or if the interest of the general public will not be adversely affected, and

WHEREAS, the applicant failed to file an appeal of the denial within the 15 day appeal period, and

WHEREAS, a letter from Mid-Valley Engineering, representing Rettig Bros. was received on March 7, 1983 requesting that the Commission waive the one year limitation to allow a reapplication for the previously denied P-D zone, and

WHEREAS, on March 7, 1983, by Resolution No. 83-38, the Planning Commission waived the one year limitation to allow a reapplication to the Planning Commission determining that it was in the best interests of the general public to allow the full hearing procedure on the Rettig Bros. zoning proposal including a hearing before the City Council, and

WhEREAS, a reapplication was filed on March 9, 1983 by Mid-Valley Engineering on behalf of Rettig Bros. to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, for expansion of their engine remanufacturing facility at 2612 Woodland Avenue, and

WHEREAS, the staff recommended that the Planning Commission deny the application and that the transcript from the previous denial be accepted for transmittal to the City Council pursuant to an appeal, and

WHEREAS, a public hearing was held by the Planning Commission at its regular meeting of April 18, 1983, in the Council Chambers, City Hall, 801 11th Street, Modesto, and

WHEREAS, the Planning Commission, by Resolution No. 83-57, found and determined that in the spirit of the previous denial by the Planning Commission and for the purpose of allowing appeal to the City Council, said reapplication of Rettig Bros. to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, should be denied, and

WHEREAS, an appeal from said denial by the Planning Commission was received by the City Clerk on April 19, 1983, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on May 10, 1983, and

WHEREAS, after said public hearing, the Council of the City of Modesto found and determined that the decision of the Planning Commission should be overruled and the request of Rettig Bros. to amend Section 25-3-8 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, should be granted for the following reasons:

1. The P-D zone will allow for upgrading of a long established land use which preceded much of the residential development in the vicinity.

2. The amended development plan and the conditions of approval will improve compatibility with the surrounding residential area by addition of screen walls and landscaping, additional parking, and peripheral public improvements.

and

WHEREAS, at its meeting held on May 10, 1983, the Council introduced Ordinance No. 2188-C.S. reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(339),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. APPEAL GRANTED. The appeal filed by Rettig Bros. to the decision of the Planning Commission which denied an amendment to Section 25-3-8 of the Zoning Map to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(339), is granted for the reasons set forth above, and the decision of the Planning Commission which denied said rezoning is hereby overruled.

SECTION 2. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(339), is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Planned Development" as amended in red, stamped approved by the City Council on May 10, 1983.

2. Prior to issuance of a building permit, the applicant shall submit revised plot plans showing all changes required by the City Council. All development shall conform to these revised plans as amended in red, stamped approved by the City Council on May 10, 1983.

3. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the west, south, and east property lines.

4. Fencing shall be constructed prior to occupancy of the new building and shall be as follows:

   8-foot decorative masonry wall along the west, south, and east sides of the property as shown on the approved plan.

5. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

6. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Mercy Avenue to a 40-foot part-width collector street standard prior to occupancy of the new building or upon demand by the City, whichever occurs first.

7. The developer shall dedicate and/or improve sufficient right-of-way as required by the City Engineer to complete Woodland Avenue to collector street standard prior to occupancy of the new building or upon demand by the City, whichever occurs first.

8. The required public street improvements shall be constructed prior to occupancy of the new building.

9. Prior to issuance of a building permit, street improvement plans shall be approved by the City Engineer.

10. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the City Engineer.

11. Drainage shall be provided as required by the City Engineer.

12. All outdoor lighting shall be shielded from adjacent residential properties as required by the City Engineer.

13. Trash cans or bins shall be screened from view from any public street in accordance with the approved plot plan.

14. All businesses may be open to the public only between the hours of 7 a.m. and 10 p.m., seven days a week.

15. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the City Engineer.

16. All signs shall comply with the sign requirements of the H-1 zone. All signs shall be directed toward Woodland Avenue.

17. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the City Engineer.

18. There shall be no use of an outdoor public address system.

19. There shall be no outdoor storage on the premises.

SECTION 3. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(339):

Construction to begin on or before January 1, 1985, and completion to be by January 1, 1986.

SECTION 4. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 5. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 6. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above described property to Planned Development Zone, P-D(339) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Sutton, Whiteside

NOES: Councilmembers: Bright, Patterson, Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and
Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-279

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 25-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RETTIG BROS.)

**WHEREAS, on** May 10, **19**83, **the City Council** introduced Ordinance No. 2188-C.S. **giving approval to a project relating to** an amendment to Section Map 25-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(339), **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 25-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(339).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Sutton, Whiteside

NOES: Councilmembers: Bright, Patterson, Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-280

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF SERVICE ROAD AT THE MODESTO CITY-COUNTY AIRPORT (ADAP NO. 6-06-0153-09)

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of service road at the Modesto City-County Airport

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 7, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-281

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL COMPACTION AND AGGREGATE TESTING SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of annual compaction and aggregate testing services

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 31, 1983, at 2:30 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-282

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF STREET NAME SIGNS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of annual requirements of street name signs

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 31, 1983, at 2:10 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-283

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF LIQUID CHLORINE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of annual requirements of liquid chlorine

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 31, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-284

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING LANDSCAPE MAINTENANCE SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of landscape maintenance services

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 31, 1983, at 2:30 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-285

A RESOLUTION ACCEPTING THE BID OF RED WHALE POOLS FOR CONSTRUCTION OF MUNCY PARK POOL

WHEREAS, Resolution No. 83-170, adopted by the Council of the City of Modesto on April 5, 1983, approved the plans and specifications for the construction of Muncy Park pool and authorized the calling for bids; and

WHEREAS, the bids received for the construction of Muncy Park pool were opened at 11:10 a.m. on April 19, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Red Whale Pools in the amount of $50,500 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Red Whale Pools in the amount of $50,500 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-286

A RESOLUTION ACCEPTING THE BID OF CONSOLIDATED ELECTRIC FOR FURNISHING APPROXIMATELY 2,150 HIGH PRESSURE SODIUM BALLASTS

WHEREAS, Resolution No. 83-175, adopted by the Council of the City of Modesto on April 5, 1983, approved the plans and specifications for the purchase of high pressure sodium balasts and authorized the calling for bids; and

WHEREAS, the bids received for the high pressure sodium ballasts were opened at 2:00 p.m. on April 26, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Consolidated Electric in the amount of $77,290 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Consolidated Electric in the amount of $77,290 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-287

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF REPAIR SERVICES FROM P-B SALES COMPANY FOR FRONT END LOADER TRUCK FOR THE UTILITIES DEPARTMENT

WHEREAS, the Street Cleaning Division requires repair of front end loader truck #40297 in order to maintain the truck in active operation; and

WHEREAS, staff recommends the purchase of a new front end loader assembly at the cost of $5,314.46, from P-B Sales Company, as the only available manufacturer of this particular equipment.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of repair services for front end loader truck for the Utilities Department is hereby waived.

BE IT FURTHER RESOLVED that purchase of repair services from P-B Sales Company for front end loader truck in the amount of $5,314.46 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-288

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF WORD PROCESSING AND COMPUTER EQUIPMENT FROM WANG LABORATORIES, INC.

WHEREAS, Data Processing Steering Committee is recommending the purchase of micro-computer equipment; and

WHEREAS, Wang Laboratories, Inc. is the only company that offers new terminals that will interface with our Wang central processing units.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of two archiving workstations, five standard workstations, one band printer and one personal computer is hereby waived.

BE IT FURTHER RESOLVED that purchase of the above mentioned work processing and computer equipment from Wang Laboratories, Inc. for the total price of $58,050 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Whiteside , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-289

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF WORD PROCESSING AND COMPUTER EQUIPMENT FROM CONTINENTAL RESOURCES

WHEREAS, the Data Processing Steering Committee is recommending the purchase of micro-computer equipment; and

WHEREAS, Continental Resources located in Santa Clara, California, is marketing a daisy wheel printer that sells for less than the comparable Wang printer.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of three daisy wheel printers is hereby waived.

BE IT FURTHER RESOLVED that purchase of three daisy wheel printers from Continental Resources for the total price of $15,264, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Whiteside , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-290

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF C.K. GOTTSCHALK FROM THE AIRPORT ADVISORY COMMITTEE, EFFECTIVE MAY 10, 1983

WHEREAS, C.K. Gottschalk was appointed a member of the Airport Advisory Committee on April 14, 1981; and

WHEREAS, C.K. Gottschalk has tendered his resignation from the Airport Advisory Committee effective May 10, 1983; and

WHEREAS, C.K. Gottschalk has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignation of C.K. Gottschalk from the Airport Advisory Committee be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to C.K. Gottschalk for his outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Whiteside. was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 291

A RESOLUTION COMMENDING THE MODESTO POLICE RESERVES FOR CONTRIBUTIONS TO THE COMMUNITY WELFARE AND SAFETY.

WHEREAS, the Modesto Police Reserves contribute numerous hours each year to the City of Modesto assisting the Police Department in protecting the health, safety and welfare of its citizens, and

WHEREAS, there are approximately twenty-two (22) officers in the organization, private citizens from all walks of life, who devote many hours of their own time to the Modesto Police Department, apart from their employment or business, without any pay whatsoever, and

WHEREAS, the Modesto Police Reserves work constantly with the Modesto Police Department, performing whatever duties may be requested in the way of enforcing laws, searching for missing persons, apprehending escaped convicts, aiding during times of disaster, and helping with various community activities taking place in the City, and

WHEREAS, during the year 1982 alone, the Police Reserves served a total of Seven Thousand and Forty-three (7043) man-hours of time for the Modesto Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that each and every man serving with the Modesto Police Reserves be commended for his untiring work in the organization which so greatly contributes to the health, safety and general welfare of our community.

BE IT FURTHER RESOLVED that duly authenticated copies of this resolution be presented to those officers who devoted so many of their personal hours to the Police Reserves during 1982, in recognition of performance of outstanding service to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-292

A RESOLUTION ESTABLISHING ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING RESOLUTIONS NO. 62-29, 69-871, 73-680 AND 78-620.

WHEREAS, Chapter 2 of Title III of the Modesto Municipal Code authorizes the City Council, by resolution, to establish one-way streets and alleys and angle parking in the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. ONE-WAY STREETS AND ALLEYS. One-way streets and alleys are hereby established at the following locations:

(a) <u>One-way Streets</u>:

5th Street, from Maze Boulevard to Sierra Drive (southerly direction)

6th Street, from E Street to M Street (northerly direction)

9th Street (northeast portion), from Tully Road to Shoemake Avenue (northwesterly direction)

9th Street (southwest portion), from Tully Road to Shoemake Avenue (southeasterly direction)

14th Street, from D Street to Needham Street (southeasterly direction)

15th Street, from Burney Street to Needham Street (northwesterly direction)

17th Street, from G Street to J Street (southeasterly direction)

19th Street, from Burney Street to H Street (northwesterly direction)

Briggsmore Avenue (south portion), from Sherwood Avenue to McHenry Avenue (easterly direction)

Briggsmore Avenue (south portion), from McHenry Avenue to Oakdale Road (easterly direction)

Briggsmore Avenue (north portion), from McHenry Avenue to Oakdale Road (westerly direction)

California Street, from Jefferson Street to Paradise Road (westerly direction)

Downey Avenue, from Burney Street to 19th Street (westerly direction)

Downey Avenue, from I Street to McHenry Avenue (westerly direction)

First Street, from G Street to H Street (southeasterly direction)

G Street, from First Street to Burney Street (northeasterly direction)

Grand Street, from D Street to Las Flores Avenue (easterly direction)

H Street, from First Street to 19th Street (southwesterly direction)

Haddon Avenue, from La Loma Avenue to Santa Barbara Avenue (easterly direction)

Jennie Street, from Burney Street to Las Flores Avenue (westerly direction)

K Street, from 9th Street to Needham Street (northeasterly direction)

L Street, from 9th Street to Needham Street (southwesterly direction)

La Loma Avenue, from Burney Street to H Street (northwesterly direction)

Sycamore Avenue (east portion), from Griswold Avenue to north side of Block 724 (northerly direction)

Sycamore Avenue (west portion), from Griswold Avenue to north side of Block 724 (southerly direction)

(b) One-way Alleys:

Between 1st and 2nd Streets, from H Street to G Street (southeasterly direction)

Between 2nd and 3rd Streets, from Washington Street to I Street (southeasterly direction)

Between 9th and 10th Streets, from I Street to K Street (southeasterly direction)

Between 10th and 11th Streets, from I Street to J Street (northwesterly direction)

Between 10th and 11th Streets, from 100 feet north of J Street to K Street (northwesterly direction)

Between 10th and 11th Streets, from K Street to L Street (southeasterly direction)

Between 11th and 12th Streets, from I Street to J Street (southeasterly direction)

Between 11th and 12th Streets, from J Street to K Street (northwesterly direction)

Between 12th and 13th Streets, from I Street to K Street (northwesterly direction)

Between College and the TSRR Tracks, from Rumble to Leveland (southerly direction)

Between June Drive and Timothy Avenue, from Briggsmore Avenue to Judith Lane (southerly direction)

Between McHenry and Sherwood from 130 feet south of Leveland Lane to Leveland Lane (northerly direction)

Between McHenry and Timothy beginning 136 feet north of Granger and continuing northerly 285 feet (northerly direction)

Between Sheridan Street and Chicago Avenue, from Hudson Lane to Paradise Road (southeasterly direction)

Between Sutter and Alturas Avenues, Tuolumne Boulevard, and Western Way, from Alturas Avenue to Sutter Avenue (westerly direction)

SECTION 2. ANGLE PARKING. Angle parking is hereby established at the following locations:

Angle Parking:

18th Street, between G and H Streets (west side) (diagonal)

Chestnut Street, between Jefferson and Madison Streets (south side) (diagonal)

College Avenue, beginning at a point on the west curb line of College Avenue 60 feet north of the north curb line of Orangeburg Avenue and continuing north on College Avenue a distance of 202 feet (diagonal)

Concord Avenue, beginning at a point on the east curb line of Concord Avenue 58 feet north of the north curb line of Orangeburg Avenue and continuing north on Concord a distance of 200 feet (diagonal)

Jefferson Street, between Chestnut and Elm Streets (west side) (diagonal)

F Street, between 10th and 11th Streets (south side) (diagonal)

I Street, between 9th and 12th Streets (both sides) (diagonal)

P Street, between 9th and Needham Streets (both sides) (diagonal)

SECTION 3. The provisions of this resolution shall become effective upon adoption except as they apply to Grand Street, Jennie Street, K Street, L Street, 14th Street and 15th Street. The provisions of this resolution as they apply to Grand Street, Jennie Street, K Street, L Street, 14th Street and 15th Street shall become effective and be in full force and operation when proper signs are posted by the State of California, Department of Public Works, Division of Highways.

SECTION 4. The Director of Parking and Traffic is hereby directed to implement the provisions of this resolution.

SECTION 5. Resolutions No. 62-29, 69-871, 73-680 and 78-620 are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-293

AMENDED
**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** DONALD H. AND MARGARET D. SCOTT FOR THE LEASE OF RIVERSIDE PARK SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the/**amended **agreement between the City of Modesto and** Donald H. and Margaret D. Scott to change the rental from 30 to 20% of the proceeds for the lease of Riverside Park site

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 10th **day of** May, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-294

AMENDED
**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** DONALD H. AND MARGARET D. SCOTT FOR THEIR LEASE OF A PORTION OF THE FORMER BOMBERGER PROPERTY

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the/agreement between the City of Modesto and** Donald H. and Margaret D. Scott to eliminate a barn from their lease of a portion of the former Bomberger property

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 10th **day of** May, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-295

AMENDED

**A RESOLUTION APPROVING /AGREEMENT BETWEEN THE CITY OF MODESTO AND** JOHN AND PAULA HUMPHREY TO THEIR LEASE OF 2340 LINCOLN AVENUE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the/agreement between the City of Modesto and** John and Paula Humphrey to include the lease of a barn adjacent to their house at 2840 Lincoln Avenue

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 10th **day of** May, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-296

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** JERRY BENJAMEN HENSLEY FOR THE LEASE OF THE OLD SEWER PONDS SITES AND BONZI DUMP SITES

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Jerry Benjamen Hensley for the lease of the old sewer ponds sites and Bonzi dump sites

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 10th **day of** May, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 297

A RESOLUTION APPROVING THE CITY OF MODESTO'S HOUSING ASSISTANCE PLAN FOR THE THREE YEAR PERIOD OF JULY 1, 1982 TO JUNE 30, 1985.

BE IT RESOLVED by the Council of the City of Modesto that the submission of a Housing Assistance Plan to the Federal Government for the three year period of July 1, 1982 to June 30, 1985, be, and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-298

A RESOLUTION ADOPTING AMENDED STANDARD SPECIFICATIONS FOR ALL IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY IN THE CITY OF MODESTO.

WHEREAS, Section 4-4.801 of the Modesto Municipal Code provides for the adoption by the City Council of "Standard Specifications of the City of Modesto" for improvements within the public right-of-way, said standard specifications to be prepared by the Director of Engineering Services and recommended by the Planning Commission, and

WHEREAS, the standard specifications for improvements within the public right-of-way currently in effect in the City of Modesto were adopted in 1982, and

WHEREAS, the Director of Engineering Services has recommended extensive amendments to the standard specifications which include several additions, deletions, or revisions, and

WHEREAS, the proposed amendments are to accomplish clarification of existing texts and drawings, updating to include the current editions of standards and tests, adding policies and procedures already used in practice, and adopting changes and/or additions to present policies and procedures, and

WHEREAS, the proposed amendments were considered by the Construction Industry Liaison Committee and notices of an informal public hearing by the Planning Commission to consider the proposed amendments were sent to the Building Industry Association, Board of Realtors, Stanislaus County Public Works, and to local developers, engineers, and utility companies, and

WHEREAS, an informal public hearing to consider the proposed amendments was held by the Planning Commission on April 18, 1983, and

WHEREAS, the Planning Commission, by Resolution No. 83-60, adopted on April 18, 1983, recommended to the City Council the adoption of amended standard specifications for improvements within the public right-of-way in the City of Modesto as prepared by the Director of Engineering Services, except that Section 3.22 pertaining to Briggsmore Avenue Improvements was revised to read as follows:

> 3.22 Briggsmore Avenue Improvements: Improvements shall be constructed along the Briggsmore Avenue frontages of corner lots adjacent to street intersections. These improvements shall include curb, pavement, drainage facilities, sidewalks, and street lights as required by the Engineer. The improvements shall extend a minimum of 300 feet each side of the street intersections.
>
> Where direct vehicular and/or pedestrian access to Briggsmore Avenue is permitted by the City Council, Planning Commission, or Board of Zoning Adjustment, the Briggsmore Avenue frontage of the property being developed shall be improved to major street standards.

and

WHEREAS, said proposed amended standard specifications for improvements within the public right-of-way in the City of Modesto as prepared by the Director of Engineering Services and revised and recommended by the Planning Commission were considered by the City Council at its regular meeting on May 10, 1983, at which time the Council determined that the proposed amended standard specifications for improvements within the public right-of-way in the City of Modesto, as recommended by the Planning Commission, should be adopted as the Standard Specifications of the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that pursuant to the provisions of Section 4-4.801 of the Modesto Municipal Code, that certain document entitled "Standard Specifications of the City of Modesto" dated 1983, and with Section 3.22 revised to read as set forth above, copies of which document are on file in the offices of the Director of Engineering

Services and the Secretary of the Planning Commission, are hereby adopted as the Standard Specifications for the City of Modesto for improvements in the public right-of-way.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-299

A RESOLUTION AMENDING P-D(127), PROPERTY LOCATED AT THE NORTHEAST CORNER OF OAKDALE ROAD AND EAST ORANGEBURG AVENUE, TO INCLUDE A FAMILY AMUSEMENT MACHINE CENTER.

WHEREAS, Ordinance No. 1447-C.S., which was introduced on April 14, 1975, finally adopted on April 21, 1975, and which became effective May 21, 1975, granted P-D(127) to allow a community shopping center, with all uses permitted in the General Commercial Zone, C-2, property located at the northeast corner of Oakdale Road and East Orangeburg Avenue, and

WHEREAS, City Council Resolution No. 75-455, adopted on April 14, 1975, approved the development plan and schedule for P-D(127), and

WHEREAS, a verified application for an amendment to P-D(127) was filed by Jerold Rosenthal on March 8, 1983, to establish a Family Amusement Machine Center at the northwest corner of the Century Center Community Shopping Center, property located at the northeast corner of Oakdale Road and East Orangeburg Avenue, and

WHEREAS, the Planning Commission held a public hearing on said application on May 2, 1983, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, after hearing evidence both oral and documentary, the Planning Commission found and determined that amendment of P-D(127) is required by public necessity convenience and general welfare for the following reasons:

1. The P-D(127) community shopping center is designed to accommodate general commercial uses, including Family Amusement Machine Centers.

2. The location of the Family Amusement Machine Center is as remote as possible from the Sonoma School and park to the southeast, the distance across the shopping center itself being in excess of 1/4 mile.

3. The location of the Family Amusement Machine Center at the northwest corner of the shopping center causes this establishment to orient away from the greatest number of other businesses in the shopping center.

and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto on May 17, 1983, at 4:00 p.m., at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, the Council finds and determines that the application for an amendment to P-D(127) to establish a Family Amusement Machine Center at the northwest corner of the Century Center Community Shopping Center, property located at the northeast corner of Oakdale Road and East Orangeburg, should be granted for the reasons set forth in Planning Commission Resolution No. 83-65, and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the requested amendment to P-D(127) to allow establishment of a Family Amusement Machine Center at the northwest corner of the Century Center Community Shopping Center, property located at the northeast corner of Oakdale Road and East Orangeburg Avenue, is hereby approved, subject to the following conditions:

1. That the Family Amusement Machine Center shall be open to the public only between the hours of 8 a.m. to 10 p.m. daily.

2. That clear vision from the front windows into the amusement machine center shall be maintained at all times.

3. The family amusement machine center shall be well lighted during operating hours.

4. The family amusement machine center may be inspected by the Police Department at any time.

5. All conditions of City Council Resolution No. 75-455 not in conflict with the above shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-300

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SECOND LAYOR SLURRY SEAL - DOWNTOWN CITY STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the second layor slurry seal - downtown City streets

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 7, 1983, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-301

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING JANITORIAL SERVICES AT AMERICAN LEGION HALL

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of janitorial services at the American Legion Hall

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 7, 1983, at 2:20 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-302

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL DRY CELL BATTERY REQUIREMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of annual dry cell battery requirements copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 7, 1983, at 2:10 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Hensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-303

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING SWIMMING POOL CHLORINE AND MURATIC ACID

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of swimming pool chlorine and muratic acid

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 7, 1983, at 2:05 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-304

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** AUTOMATIC SLIDING DOORS AT THE ENTRANCE TO CITY HALL AS COMPLETE

**WHEREAS,** a report has been filed by the Director of Engineering that the construction of the automatic sliding doors at the entrance to City Hall has been completed by Acme Glass Company

in accordance with the contract agreement dated January 11, 1983.

**NOW, THEREFORE, BE IT RESOLVED** that the construction of the automatic sliding doors at the entrance to City Hall be accepted from said contractor, Acme Glass Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $19,996 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 19 83, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** **Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES:** **Councilmembers:** None

**ABSENT:** **Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-305

A RESOLUTION ADOPTING THE MOBILEHOME PARK MEDIATION BOARD BYLAWS

WHEREAS, the City Council deems it desirable to adopt the Mobilehome Park Mediation Board Bylaws as requested by the County Consumer Affairs Coordinator.

BE IT HEREBY RESOLVED that the City Council of the City of Modesto adopts the Mobilehome Park Mediation Board Bylaws,with the deletion of Section 4 of Article IX, a copy of which is attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1983, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

# BYLAWS

## ARTICLE I

### Name

The name of this body shall be the STANISLAUS COUNTY MOBILEHOME PARKS MEDIATION BOARD. Whenever the term "Board" is used in these Bylaws, it shall mean the Stanislaus County Mobilehome Parks Mediation Board.

## ARTICLE II

### Authority

The authority for the formation and operation of this Board is set forth by Stanislaus County Board of Supervisors' Resolution dated October 2, 1979, and updated by the Board of Supervisors' Resolution #81-0938 dated June 9, 1981. The Modesto City Council Resolution #81-102 acknowledged the existence of the Board and authorized the Board to function within the Modesto City limits.

## ARTICLE III

### Purpose

The purpose of this Board shall be:

(a) To conduct informal hearings to review complaints forwarded to the Board by the Stanislaus County Office of Consumer Affairs; and

(b) To make recommendations to tenants and mobilehome park owners or managers on appropriate solutions for mobilehome park disputes; and

(c) To act in an advisory and informational capacity to the Stanislaus County Board of Supervisors and the Modesto City Council regarding mobilehome park issues and concerns.

## ARTICLE IV

## Jurisdiction

The jurisdiction of the Board shall be limited to:

(a) Complaints involving general park rules, where residents of at least 10% of the mobilehome park spaces have signed a petition for a hearing before the Board and;

(b) Complaints involving rent increases where residents of at least 51% of the mobilehome park spaces receiving the increase have signed a petition requesting a hearing before the Board and;

(c) Complaints, other than those covered in sections (a) and (b), of a serious nature may be referred to the Board at the discretion of the Consumer Affairs Coordinator.

One signature per space is required for the petition. Only those persons named as tenants on the rental agreement would have the authority to sign the petition.

## ARTICLE V

## Membership

Section 1. Composition

The composition of the Board is as stated in the Stanislaus County Board of Supervisors resolution dated October 2, 1979. The composition of the Board shall consist of nine members as follows:

1 Mobilehome park tenant appointed by the Golden State Mobilehome Owners League (GSMOL)

1 Senior citizen mobilehome park tenant

1 Mobilehome park tenant

1 Representative appointed by the Modesto Board of Realtors

1 Mobilehome park resident manager

1 Mobilehome park owner

1 Representative of the City of Modesto, appointed by the Modesto City Council

2 Representatives of the County of Stanislaus, appointed by the Board of Supervisors

Persons applying for the positions representing the mobilehome park tenant, the senior citizens mobilehome park tenant, the mobilehome park owner and mobilehome park resident manager shall file an application with the Stanislaus County Office of Consumer Affairs. The Consumer Affairs Coordinator shall interview each applicant. The names of each applicant and the Consumer Affairs Coordinator's recommendation will be forwarded to the Stanislaus County Board of Supervisors and they shall make appointments to these positions.

No member of the Board shall be a full-time or part-time employee of the Consumer Affairs Office or any county department of which the Consumer Affairs Office is part, or an employee of the State Department of Consumer Affairs.

Section 2. Term of Office

The term of each member of the Board shall be for three years. If, however, prior to the expiration of such term a member ceases to retain the status which qualified him/her for appointment on the Board, his/her membership on the Board shall terminate and there shall be a vacancy on the Board.

A person appointed to complete an unexpired term shall not be considered to have served a term. Members completing unexpired terms may be reappointed to serve for two consecutive terms.

Board members shall be limited to no more than two consecutive terms. Members shall also serve without compensation.

Section 3. Filling Vacancies

Vacancies shall be filled by the Board of Supervisors in accordance with the California Government Code, Part 1 of Division 2 of Title 5, Chapter 10, Sections 54970-54974 (Maddy Local Appointive List Act of 1975). The Maddy Local Appointive List Act requires that the Board of Supervisors prepare an appointment list for all boards, commissions and committees for which they have appointment power. The Act further requires that a special vacancy notice be posted in the office of the County Clerk, and in other places as directed by the Board of Supervisors, within 20 days after the vacancy occurs; and prohibits an appointment to a position for 10 days after the notice is posted (except in the case of an emergency).

When the position of the City of Modesto Representative becomes vacant, the vacancy shall be filled by the Modesto City Council in accordance with the Maddy Local Appointive List Act of 1975. A special vacancy notice shall be posted in the office of the Modesto City Clerk, and in other places as directed by the Modesto City Council, within 20 days after the vacancy occurs; and an appointment to the position shall not be made for a period of 10 days after the notice is posted (except in the case of an emergency).

Section 4. Attendance at Meetings

Members are expected to attend all meetings of the Board. A member who is unable to attend a given meeting shall give advance notice of his/her inability to attend either to the Board Chairperson or the Coordinator of the Office of Consumer Affairs.

Section 5. Vacancies

(A) Absences

A member who is absent for three consecutive meetings in any twelve-month period shall no longer be a member of the Board and the Chairperson shall so notify the appointing authority.

(B) Termination

A member may be removed from the Board by the appointing authority upon the recommendation of the Board by a vote of five Board members.

## ARTICLE VI

## Officers

The officers of the Board shall consist of a Chairperson and a Vice-Chairperson who shall be elected annually. The Chairperson shall be selected only from the representatives of the Board of Supervisors or the City of Modesto. Election of officers shall be held at the first regularly scheduled meeting of the Board in January of each new calendar year. Nominations shall be submitted by the Nominating Committee in December, or made from the floor. Officers shall be elected to serve for one year or until their successors are elected.

In the event that the Chairperson and Vice-Chairperson are unable to attend a scheduled meeting, the members present shall elect a Chairperson to preside over that meeting.

## ARTICLE VII

## Committees and Task Forces

Section 1. Nominating Committee

A Nominating Committee of three members shall be appointed by the Chairperson, with concurrence of the Board, to meet one month prior to the election of officers. This committee shall report to the Board with recommendations for officers for the following year.

There shall be such other standing, special, and ad hoc committees or task forces as the Chairperson shall appoint with the approval of the Board.

Section 2. Other

The Chairperson shall be an ex-officio member of all committees and task forces. All plans and/or recommendations from a committee or task force shall be presented by the committee Chairperson, or designee, to the Board for action and shall be acted upon at the next regularly scheduled meeting of the Board.

## ARTICLE VIII

## Meetings

Section 1. Frequency and Time of Meetings

The regular meetings of this Board shall be held on a quarterly basis on the third Thursday of January, April, July, and October at 10:00 A.M.

Section 2. Special Meetings

Special meetings may be called by the Chairperson or five of the Board members.

Section 3. Public Participation

All meetings of the Board shall be open to the public as provided for by the Brown Act.

## ARTICLE IX

## Parliamentary Rules

Section 1. Conduct of Meetings

The meetings of this Board shall be conducted in accordance with Robert's Rules of Order (Revised Edition).

Section 2. Quorum

Five members of the total official membership at the time of the meeting shall constitute a quorum.

Section 3. Vote Required For Action

A majority of the Board members present and voting, provided there is a quorum voting, shall constitute the vote required for action.

Deleted by Modesto City Council Res. 83-305.

Section 4. Proxy Votes

If any Board member is unable to attend a meeting of the Board, that member may contact the Chairperson of the Board or the Consumer Affairs Coordinator and give a proxy vote(s) on a specific issue(s). A proxy vote shall not, however, count on new business, but it will count on an issue which has been previously addressed as long as the entire Board is aware of the issue. Proxy votes shall be in writing but shall not be counted to determine a quorum.

Section 5. Conflict of Interest

When any case is being discussed, considered or voted upon by the Board that involves potential financial benefit to a member or the review of an agency with which an individual Board member is affiliated, the Board member shall abstain from such discussion, consideration and vote.

## ARTICLE X

## Adoption and Amendment

Section 1. Adoption

These Bylaws shall become effective immediately upon approval by a majority of the membership of the Board and approval of the Stanislaus County Board of Supervisors and the Modesto City Council.

Section 2. Amendment

These Bylaws may be amended by a two-thirds (2/3) vote of a quorum of the Mobilehome Parks Mediation Board provided that fifteen (15) days prior to the meeting, the full Board is notified of the language of such change(s) and of the time, date and place of the intended voting on such change(s). The amendment will not be effective until approved by a majority vote of the Stanislaus County Board of Supervisors and a majority vote of the Modesto City Council.

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-306

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** TOUCHE, ROSS & COMPANY TO PROVIDE AUDITING AND ACCOUNTING SERVICES TO THE CITY OF MODESTO FOR FIVE FISCAL YEARS BEGINNING WITH THE YEAR ENDED JUNE 30, 1983

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Touche, Ross & Company to provide auditing and accounting services to the City of Modesto for five fiscal years beginning with the year ended June 30, 1983

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 17th **day of** May, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-307

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO WELLS FARGO BANK TO CONSTRUCT A SUN AND WIND SHELTER FOR AN OUTSIDE AUTOMATIC TELLER AT 1120 K STREET.

WHEREAS, Mina-Tree Signs, Inc. has filed a request with the Council of the City of Modesto on behalf of Wells Fargo Bank to permit construction of a sun and wind shelter for an outside automatic teller at 1120 K Street, and

WHEREAS, the construction material would be of metal and plastic and would encroach 1'6" into the public right of way, thus allowing the remaining width of the sidewalk to be 13'6", and

WHEREAS, the Director of Engineering has recommended that the encroachment permit be granted, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it authorizes an encroachment permit to be issued to Wells Fargo Bank for a sun and wind shelter for an outside automatic teller at 1120 K Street, to encroach a maximum of 1'6" into the public right of way, said permit being issued subject to the applicant obtaining both an encroachment permit and a building permit from the Department of Engineering Services and agreeing to all of the conditions set forth on the application for an encroachment permit attached hereto as Exhibit A.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1983, by Councilmember Whiteside, who moved its adoption, which motion being

duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPLICATION FOR ENCORACHMENT PERMIT

As provided in Section 7-1.106 of the Modesto Municipal Code, I apply for an Encorachment Permit.

My name is [illegible]

My mailing address is [illegible]

The location of the property at which the proposed encroachment is to be made is 1000 "K" STREET MODESTO

The name of the person who will perform the work is [illegible]

The nature, dimensions, and description of the proposed work or encroachment is SUN AND WIND SCREEN THAT WILL PROJECT OVER THE PROPERTY LINE 16". THE WIDTH OF THE SCREEN IS 5-8".

The encroachment is necessary for the full use and enjoyment of my property because THIS WILL PROTECT THE EXPRESS STOP MACHINE AND THE BANKS PATRONS USING THIS SERVICE.

There is no other reasonable or convenient place that I can construct or install the encroachment.

X The encroachment will not be unsightly or create a nuisance.

X The encroachment will not unreasonably interfere with the right of the public in the sidewalk-planter area in the adjacent street.

X The encroachment will be constructed or installed in such a manner that it will not be a hazard to the public in the sidewalk-planting area or in the adjacent street.

The encroachment can be removed at any time in the future that the permit may be revoked.

If the permit is issued, I agree to the following conditions:

1. I will indemnify and hold the City of Modesto and its officers, agents and employees free and harmless from any and all damages, costs, charges or liability of any kind or character that may arise out of, relate to, or in any way be connected with the exercise of the rights granted the permittee by this permit.

.2 I will defend, at my own cost and expense, any and all lawsuits that may arise out of or be connected in any way with the exercise of the right granted by this permit.

3. I will comply with all laws, ordinances, and regulations of the City of Modesto, County of Stanislaus, and State of California that relate to or affect the right granted by this permit.

outstanding, a policy of public liability insurance covering any and all claims for bodily injury, sickness and disease, including death resulting therefrom, or damage to property arising from the use of the sidewalk area for the herein permitted encroachment. Said insurance shall be in the amount of One Hundred Thousand Dollars ($100,000.00) for any one person and Three Hundred Thousand Dollars ($300,000.00) for any one accident or occurence for bodily injury, sickness and disease, including death resulting therefrom, and One Hundred Thousand Dollars ($100,000.00) for claims for property damage. The policy of insurance so obtained shall contain a contractural liability endorsement covering the liability assumed by permittee under the terms of this permit. A certificate evidencing the policy of public liability insurance shall be filed and maintained with the City Clerk and shall provide that the policy may not be cancelled except after thirty (30) days' notice in writing to the City Clerk.

5. I will install and maintain the encroachment in such a manner that it shall not become a nuisance or be hazardous to the public using the sidewalk area.

6. I will install and maintain the encroachment to the satisfaction of the Director of Public Works.

7. I understand that this permit will be binding on all successors, assigns and heirs of the permittee.

8. I understand this permit will be revocable at any time by the City Council.

9. I understand I must accept this permit and all of its conditions in writing, and no right or privileges shall be conferred by the permit until it has been so accepted, and a certificatge evidencing the required insurance has been filed with the City Clerk.

10. I understand that:

    a. Action by the City Council does not in itself constitute a permit, but it is normally an authorization for the City staff to issue an encroachment permit.

    b. If the City Council acts affirmatively on this application, that I must appear at the Public Works Permits Section, second floor of City Hall, to obtain the actual encroachment permit and to pay the prescribed permit fees.

Signature of Applicant

MODESTO CITY COUNCIL
RESOLUTION NO. 83-308

A RESOLUTION REAFFIRMING ORDINANCE NO. 2119-C.S. RELATING TO THE ZONING REGULATIONS AND DESIGNATING SAID ORDINANCE AS MEETING THE REQUIREMENTS OF SENATE BILL 1534 DEALING WITH SECOND UNITS ON SINGLE FAMILY LOTS.

WHEREAS, in 1982 the state legislature passed Senate Bill 1534 dealing with second units on single family lots, and

WHEREAS, one of the options in said Senate Bill 1534 was for a city to designate areas where second units would be permitted, and

WHEREAS, by Ordinance No. 2119-C.S., which became effective on May 13, 1982, the City of Modesto amended its single family residential zone to allow two units on all corner lots, and

WHEREAS, Ordinance No. 2119-C.S. satisfies one of the options of Senate Bill 1534, and

WHEREAS, the Planning Commission, by Resolution No. 83-66, recommended to the Council that Ordinance No. 2119-C.S. be reaffirmed and designated as having met the requirements of Senate Bill 1534,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Ordinance No. 2119-C.S. is hereby reaffirmed and is designated as meeting the requirements of Senate Bill 1534.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1983, by Councilmember Whiteside, who moved its adoption, which motion being

duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-309

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1105 YOSEMITE BLVD., MARGARET E. AGEN-$658.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on May 24, 1976, adopt its Resolution No. 76-669, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 1983, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $658.

SECTION 2. That the cost of the aforesaid work, being the amount of $658.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 82' and the North 218.09' of Lot 8 of Santa Ana Tract as per map filed March 24, 1924 in Vol. 9 of Maps, Pg. 83, Stanislaus County Records.

(Stan. Cty. Assessor's Parcel No. 002001 108-1417-511)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-310

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1141 ALLEN DR.-JAMES A.AND NANCY A. BIEDENWEG - $268.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $268.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $268.00, be assessed in five annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 of Bl. 1144 of El Vecino Gardens as per map filed June 8, 1951, in Vol. 17 of Maps, Pg. 21, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 031-2208-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May , 1983 , by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-311

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1137 ALLEN DR.-DENNIS F. AND PAMELA E. BUNCE - $305.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner ----------, 19----, adopt its Resolution No. ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk ---------- on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $305.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $305.00, be assessed in six annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 of Bl. 1144 of El Vecino Gardens as per map filed June 8, 1951 in Vol. 17 of Maps, Pg. 21, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 31-2209-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-312

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (931 MCHENRY AVE.-DEET EICHEL ENTERPRISES-$406.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on April 19, 19 76, adopt its Resolution No. 76-560, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $406.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $406.00, be assessed in eight annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 3 of Bl. 728 of Falk Tract as per map filed July 5, 1939 in Vol. 11 of Maps, Pg. 62, and Lot 1 and the North 69.66' of Lot 2 of Bl. 727 of the Mission Grove Tract as per map filed June 13, 1917 in Vol. 8 of Maps, Pg. 50, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-03 113-0637-440)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-313

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (945 MCHENRY AVE.-ELKS B.P.O.E. No.1282 - $295)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 1983, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $295.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $295.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 & 6 of Bl. 728 of the Falk Tract as per map filed July 5, 1939 in Vol. 11 of Maps, Pg. 62, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 113-0635-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-314

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1437 ROSE AVE.-PHILLIP AND FRANCES H. EMERY-$312.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on September 8, 1981, adopt its Resolution No. 81-779, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 1983, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $312.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $312.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 14 of Block 1171 of Green Acres No. 2 as per map filed Oct. 25, 1955, in Vol. 18 of Maps, Pg. 38, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-42 032-0714-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-315

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN(1915 YOSEMITE BLVD.-GLEN W. HOLM & ROBERT C.A. AND MAURITA R. HOLM - $766.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on May 24, 19 76, adopt its Resolution No. 76-669, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $766.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $766.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the Section corner common to Section 26,27,34, and 35, Township 3 South, Range 9 East, Mount Diablo Base & Meridian, thence along Section line, North 89° 50' West 1782.56'; thence North 0° 35' West 50' to the point of beginning of this description; thence North 89° 50' West 97'; thence North 0° 35' West 178'; thence South 89° 50' East 97'; thence South 0° 35' East 178' to the true point of beginning. (Stan. Cty. Assessor's Parcel No. 002-01 116-0932-400)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-316

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (610 EL CAJON AVE. - HELEN E. HUNTER - $710.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. --------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $710.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $710.00, be assessed in ten annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 50.8 feet of Lot 10 and the South 2.2 feet of Lot 9 of Block 607 of the City of Modesto as per map filed Dec. 21, 1942 in Vol. 15 of Maps, Pg. 607, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 112-1763-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-317

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (614 EL CAJON AVENUE - THOMAS D. AND CYNTHIA K. HUTCHINGS - $757.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ---, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $757.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $757.00, be assessed in ten annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 607 of the City of Modesto as per map filed Dec. 21, 1942 in Vol. 15 of Maps, Pg. 607, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-001 112-1762-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-318

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1503 YOSEMITE BLVD.-SYLVIA JACOBS - $538.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on May 24, 1976, adopt its Resolution No. 76-669, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 1983, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $538.00.

SECTION 2. That the cost of the aforesaid work, being the amount of 538.00, be assessed in ten annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 14 and the West 29' of Lot 13 of Covena Park Tract as per map filed March 12, 1928 in Vol. 11 of Maps, Pg. 7, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 108-1641-500)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-319

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (112 KERR AVENUE - KENTWOOD ENTERPRISES - $1,832.80)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on February 26, 19 80, adopt its Resolution No. 80-164, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,832.80.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,832.80, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 118.345 feet of the North 233.345 feet of the West 233.345 feet of Lot 1 of Bl. 4 of Modesto Colony as per map filed Feb. 30, 1888 in Vol. 1, of Maps, Pg. 33, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 035-2606-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-320

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1538 YOSEMITE BLVD. - LA LOMA PROPERTIES - $714.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on May 24, 19 76, adopt its Resolution No. 76-669, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $714.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $714.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the N/W corner of Lot 1 of Modesto Colony; thence West 60'; thence South 10' to the point of beginning; thence South 221.345'; thence West 173.345'; thence North 118.345'; thence West 58'; thence North 103'; thence East 231.345' to the true point of beginning as per map filed June 3, 1888 in Vol. 1 of Maps, Pg. 33, Stan. Cty. Records.
(Stan. Cty. Assessor's Parcel No. 002-01 035-2620-500)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-321

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (724 MCHENRY AVE. - SPIRO MELLIS AND TOM MELLIS - $2,226.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on April 19, 19 76, adopt its Resolution No. 76-560, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,226.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,226.00, be assessed in ten annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 35, 36 and the East 60' of Lot 37 of Bl. 619 of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 619, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 112-0301-400)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May , 1983 , by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-322

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1718 SUNRISE AVE. - NATALIE A. MERCK-$885.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on March 23, 1982, adopt its Resolution No. 82-265, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 1983, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,226.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $885.00, be assessed in ten annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 and the North 15' of Lot 2 of Bl. 1286 of Regina Heights as per map filed Jan. 20, 1983, in Vol. 17 of Maps, Pg. 48, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-08 120-3501-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-323

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1309 MCHENRY AVE. - J.P.P.C., INC. - $1,702.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on April 19, 19 76, adopt its Resolution No, 76-560, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,702.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,702.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 137' of the East 183' of the South 150' of the North 570' of Lot 9 of Block 6000-A of Mensinger Tract No. 4 as per map filed Aug. 1, 1946 in Vol. 14 of Maps, Pg. 68, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 119-1807-400)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-324

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (409 E. ROSEBURG AVE.-RICHARD R. RHODE-$1,406)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No, ---, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,702.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,406.00, be assessed in ten annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 of Bl. 1126 of Zimmerman Tract as per map filed Jan. 25, 1939 in Vol. 11 of Maps, Pg. 53, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 031-1309-121)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-325

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (500 STANDIFORD AVE. - VELTON D. AND COR RITA ROGERS - $910.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on September 8, 19 81, adopt its Resolution No, 81-779, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $910.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $910.00, be assessed in ten annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel A as shown on that certain record of survey filed Mar. 4, 1960 in Vol. 8 of Surveys, Pg. 25, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-08 055-2908-121)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-326

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (406 LAS PALMAS AVE.- H.E. AND RUBY M. SANDERS - $357.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No, ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of said work is determined to be in the total amount of $357.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $357.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 50 feet of Lot 10 and the South 15 feet of Lot 11 of Bl. 2027 of Las Palmas Tract as per map filed Feb. 20, 1930 in Vol. 11 of Maps, Pg. 16, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-001 108-07-13-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-327

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1714 SUNRISE AVE.-LILIANE M. SAR - $430.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner ----------;-19----, adopt its Resolution No, ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk ---------- on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $430.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $430.00, be assessed in eight annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

'The South 60' of Lot 2 and the North 30' of Lot 3 of Bl. 1286 of Regina Heights as per map filed Jan. 20, 1953 in Vol. 17 of Maps, Pg. 48, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-08 120-3502-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-328

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (806 MCHENRY AVE.-SUNDIAL RESTAURANT-$1,739.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on April 19, 19 76, adopt its Resolution No, 76-560, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,739.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,739.00, be assessed in ten annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at a point 691.26' North and 40' East of the Southwest corner of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 355.28'; thence East 198'; thence South 245.28'; thence West 6'; thence South 110'; thence West 192' to the true point of beginning. (Stan. Cty. Assessor's Parcel No. 002-01 112-1401-531)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-329

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (941 MCHENRY AVENUE-RUSSELL E. & DIANE M. TONDA AND STEVEN AND SUE LYON - $1,005.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on April 19, 19 76, adopt its Resolution No. 76-560, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,005.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,005.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 of Bl. 727 of the Falk Tract as per map filed July 5, 1939 in Vol. 11 of Maps, Pg. 62, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-03 113-0636-400)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-330

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1717 YOSEMITE BLVD. - TOREK DEVELOPMENT, INC. - $859.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on May 24, 19 76, adopt its Resolution No. 76-669, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $859.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $859.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 70' of Lots 8, 9, and 10 and the South 20' of the East 70' of Lot 7 of Bl. 2125-A of Covena Park Tract No. 2 as per map filed April 16, 1946, in Vol. 14 of Maps, Pg. 49, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 116-0441-400)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-331

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (810 STANDIFORD AVE. - L.R. VAN HORN JR., AND LENA B. VAN HORN - $3,860.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on September 8, 1981, adopt its Resolution No, 81-779, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 1983, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $3,860.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $3,860.00, be assessed in ten annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Bl. 13112 of Standiford Colony as per map filed Dec. 11, 1912, in Vol. 7 of Maps, Pg. 17, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-08 065-1246-171)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-332

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (1249 NELSON AVE. - GLEN R. AND SHERREILYN L. WOOD - $2,592.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ---, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,592.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,592.00, be assessed in ten annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 110.37' of the East 135.37' of the South 102.86' of Lot 6 of Resubdivision of Lots 21 and 22 of Bl. 1127 of Mensinger Colony as per map filed April 15, 1927 in Vol. 11 of Maps, Pg. 2, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-001 031-13-29-121)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May , 1983 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-333

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (424 STANDIFORD AVE.-WENDELL L. AND ANNA CHERINE YOUNG - $2,610.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on September 8, 19 81, adopt its Resolution No. 81-779, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, May 24, 19 83, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of said work is determined to be in the total amount of $2,610.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,610.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the N/E corner of Parcel A as shown on Record of Survey filed 3/4/60 in Vol. 8 of Surveys, Pg. 25, Stan. Cty. Records; thence South 409.2'; thence East 150.78'; thence North 409.2'; thence West 150.50' to the point of beginning.
(Stan. Cty. Assessor's Parcel No. 002-08 055-2909-271)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-334

A RESOLUTION DENYING THE APPEAL OF MICHAEL TEDESCO FOR AN AMENDMENT TO A CONDITIONAL USE PERMIT IN THE H-1 ZONE FOR EXTENSION OF BUSINESS HOURS FROM 10:00 P.M. CLOSING TO 12:00 MIDNIGHT CLOSING ON FRIDAYS AND SATURDAYS AT THE McHENRY STATION RESTAURANT, WHICH OCCUPIES A PORTION OF THE BUILDING LOCATED AT 2501 McHENRY AVENUE IN THE CITY OF MODESTO.

WHEREAS, on March 27, 1977, by Resolution No. 703, the Board of Zoning Adjustment granted a Conditional Use Permit in the H-1 Zone for construction of a retail commercial building on the west side of McHenry Avenue, south of Leveland Lane, and

WHEREAS, Condition Number 11 of said Resolution No. 703 specifies that business hours be limited to 7:00 a.m. to 10:00 p.m. daily, seven days a week, and

WHEREAS, an application was filed by Michael Tedesco on March 11, 1983, for an amendment to said Conditional Use Permit in the H-1 Zone for extension of business hours from 10:00 p.m. closing to 12:00 midnight closing on Fridays and Saturdays, and 11:00 p.m. closing for ten weekday nights per year for "special" functions at the McHenry Station Restaurant, which occupies a portion of the building located at 2501-A McHenry Avenue in the City of Modesto, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2004 of the Municipal Code authorize the Board of Zoning Adjustment to grant Conditional Use Permits and amendments thereto, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on April 28, 1983, in the City Council Chambers, City Hall, 801 11th Street,

Modesto, California, and at said hearing the Board of Zoning Adjustment, by Resolution No. 1107, found and determined that the application for extended business hours should be denied for the reasons set forth in Board of Zoning Adjustment Resolution No. 1107 and quoted below:

1. The present closing time of 10:00 p.m. was established prior to development of the commercial area in which the subject use is located, in order to insure compatibility between the commercial development and residential area to the west.

2. Property owners residing in the residential area to the west have been disturbed from time to time by noise at late hours originating from the McHenry Station Pizza Restaurant.

3. Certain property owners residing in the residential area to the west relied on the 10:00 p.m. closing time for the businesses located in the commercial development prior to purchasing their homes.

4. There has been no appreciable change in circumstances in the effected properties since the 10:00 p.m. closing time condition was imposed in 1966.

5. The applicant has failed to demonstrate the compatibility of the proposed amendment to other existing or potential uses within the general area in which the subject use is located.

and

WHEREAS, an appeal was filed by Michael Tedesco with the City Council of the City of Modesto on April 29, 1983, to the decision of the Board of Zoning Adjustment denying his request for an amendment to said Conditional Use Permit in the H-1 Zone for extension of business hours from 10:00 p.m. closing to 12:00 midnight closing on Fridays and Saturdays and 11:00 p.m. closing for ten weekday nights per year for "special" functions at the McHenry Station Restaurant, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the

City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on May 24, 1983, and

WHEREAS, at said public hearing, the applicant withdrew that portion of the requested amendment to the Conditional Use Permit requesting to stay open until 11:00 p.m. on ten weekday nights a year for "special" functions, leaving only the request for extension of business hours from 10:00 p.m. closing to 12:00 midnight closing on Fridays and Saturdays, and

WHEREAS, after hearing evidence both oral and documentary, the Council found and determined that said appeal, as revised, to the decision of the Board of Zoning Adjustment denying the request for an amendment to a conditional use permit in the H-1 Zone for extension of business hours from 10:00 p.m. closing to 12:00 midnight closing on Fridays and Saturdays at the McHenry Station Restaurant in the City of Modesto should be denied for the reasons set forth in Board of Zoning Adjustment Resolution No. 1107 and quoted above, and that the decision of the Board of Zoning Adjustment should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal, as revised, filed by Michael Tedesco to the decision of the Board of Zoning Adjustment denying an amendment to a Conditional Use Permit in the H-1 Zone for extension of business hours from 10:00 p.m. closing to 12:00 midnight closing on Fridays and Saturdays at the McHenry Station Restaurant, located at 2501-A McHenry Avenue in the City of Modesto, should be denied for the reasons set forth above and that the decision of the Board of Zoning Adjustment denying Michael Tedesco's request for an amendment to said Conditional Use Permit in the H-1 Zone is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton

NOES: Councilmembers: Patterson, Mayor Mensinger

ABSENT: Councilmembers: Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-335

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAPS 7-3-9 AND 18-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (STEINPRESS)

**WHEREAS, on** May 24, 19 83, **the City Council** introduced Ordinance No. 2191-C.S. **giving approval to a project relating to** an amendment to Section Maps 7-3-9 and 18-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(254), to Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Maps 7-3-9 and 18-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(254), to Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-336

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF ALTERNATIVE METHANE FUEL PROGRAM - GAS PROCESSING SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for installation of alternative methane fuel program - gas processing system

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 14, 1983 at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-337

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE (1) EMERGENCY PUMP

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one (1) emergency pump

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 21, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-338

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL REQUIREMENTS OF READY-MIXED CONCRETE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for annual requirements of ready-mixed concrete

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 14, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-339

A RESOLUTION ACCEPTING THE BID OF CONCO-WEST FOR THE INSTALLATION OF STORM DRAINAGE IMPROVEMENTS - 4TH STREET FROM "J" STREET TO "K" STREET

WHEREAS, Resolution No. 83-223, adopted by the Council of the City of Modesto on April 19, 1983, approved the plans and specifications for the installation of storm drainage improvements - 4th Street from "J" Street to "K" Street and authorized the calling for bids; and

WHEREAS, the bids received for the installation of storm drainage improvements - 4th Street from "J" Street to "K" Street were opened at 11:00 a.m. on May 10, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Conco-West in the amount of $9,300 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Conco-West in the amount of $9,300 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-340

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** POTABLE WATER AND SANITARY SEWER SERVICES IN DRYDEN MUNICIPAL GOLF COURSE

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** potable water and sanitary sewer services in Dryden Municipal Golf Course **has been completed by** Joe Martin Pipeline, Inc.

**in accordance with the contract agreement dated** November 23, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** potable water and sanitary sewer services in Dryden Municipal Golf Course **be accepted from said contractor,** Joe Martin Pipeline, Inc.;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $29,666 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 24th **day of** May, **19** 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Lang

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-341

A RESOLUTION ACCEPTING THE BID OF STORER TRANSIT SYSTEMS FOR A THREE-YEAR DIAL-A-RIDE CONTRACT (FROM 1/1/84 TO 12/31/86)

WHEREAS, Resolution No. 83-151, adopted by the Council of the City of Modesto on March 22, 1983, approved the plans and specifications for the new three-year Dial-A-Ride contract and authorized the calling for bids; and

WHEREAS, the bids received for the new three-year Dial-A-Ride contract were opened at 2:00 p.m. on May 10, 1983, and later tabulated by the Director of Traffic and/or Parking for the consideration of the Council; and

WHEREAS, the Director of Traffic and/or Parking has recommended that the bid of Storer Transit Systems in the amount of $22.70 per vehicle service hour be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Storer Transit Systems in the amount of $22.70 per vehicle service hour be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-342

A RESOLUTION ADOPTING THE MODESTO BICYCLE PLAN

WHEREAS, renewed interest in the Modesto Urban Trails Plan by citizens and staff led to the preparation of an updated Modesto Bicycle Plan, and

WHEREAS, the draft plan was reviewed by the City staff and interested citizen groups and members of Modesto's cycling community, and

WHEREAS, the Planning Commission reviewed the draft plan on March 21, 1983, at an informal public hearing and recommended by its Resolution No. 83-47 that the City Council adopt the Modesto Bicycle Plan for the following reasons:

1. It is in the public interest to promote the use of nonmotorized transportation for both commute and recreational use.

2. A policy framework is needed to guide private and public actions relating to bicycle routes and bicycle parking.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the Modesto Bicycle Plan dated May, 1983, a copy of which is on file in the offices of the City Clerk and Director of Planning and Community Development.

BE IT FURTHER RESOLVED that the Modesto Bicycle Plan supersedes and replaces the Modesto Urban Trails Plan which was adopted by Resolution No. 78-788, and amended by Resolution Nos. 80-324 and 81-626.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the

resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-343

AMENDED
**A RESOLUTION APPROVING /AGREEMENT BETWEEN THE CITY OF MODESTO AND** JOE DI ANNA REGARDING AN EXISTING LEASE ON THE FORMER SIMMS PROPERTY ACQUIRED FOR DRY CREEK PARK

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the/agreement between the City of Modesto and** Joe Di Anna regarding a change in the method of computing his rent on an existing lease on the former Simms property acquired for Dry Creek Park

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 24th **day of** May, **19** 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Lang |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-344
AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** JOE DI ANNA REGARDING AN EXISTING LEASE ON THE FORMER HOGIN PROPERTY ACQUIRED FOR DRY CREEK PARK

**BE IT HEREBY RESOLVED by the Council of the City of Modesto** amended **that the /agreement between the City of Modesto and** Joe Di Anna regarding a change in the method of computing his rent on an existing lease on the former Hogin property acquired for Dry Creek Park

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 24th **day of** May, 19 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Lang |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-345

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** JOHN AND RUTH-MARIE WHITESITT FOR THE LEASE OF A MOBILE HOME SITE ADJACENT TO THE AMERICAN LEGION HALL

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** John and Ruth-Marie Whitesitt for the least of a mobile home site adjacent to the American Legion Hall

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 24th **day of** May, **19** 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Lang

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-346

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** VALLEY FREIGHT EXPRESS FOR THE LEASE OF A PORTION OF THE TERMINAL AT THE AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Valley Freight Express for the lease of a portion of the terminal at the Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 24th **day of** May, **19** 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Lang |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-347

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE MODESTO BEE TO PRINT AND PUBLISH THE OFFICIAL LEGAL ADVERTISING FOR THE CITY OF MODESTO FOR ONE YEAR BEGINNING JULY 1, 1983, AND ENDING JUNE 30, 1984

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** The Modesto Bee to print and publish the official legal advertising for the City of Modesto for one year beginning July 1, 1983, and ending June 30, 1984

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 24th **day of** May, **19**83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Lang |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-348

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GRIFFIN INDUSTRIAL CLAIMS TO ACT AS ADMINISTRATOR OF THE CITY'S WORKERS' COMPENSATION PROGRAM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Griffin Industrial Claims to act as administrator of the City's Workers' Compansation Program

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 24th **day of** May, **19**83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Lang |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-349

A RESOLUTION CANCELING THE SUBDIVISION AGREEMENT FOR VALENCIA PLAZA UNIT 2 AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Joaquin Construction Co., Inc., subdividers of Valencia Plaza Unit 2, have filed Instruments of Credit for faithful performance and labor and materials in the amount of $301,700.00 and $150,850.00 respectively to guarantee improvements in Valencia Plaza Unit 2; and

WHEREAS, improvements are being constructed with Valencia Plaza Unit 3, which resubdivided Unit 2, and Unit 2 has reverted to acreage and no longer exists; and

WHEREAS, the Director of Engineering has indicated that it would be in order for the City Council to cancel the subdivision agreement and authorize the City Clerk to release the Instruments of Credit for Valencia Plaza Unit 2.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The subdivision agreement for Valencia Plaza Unit 2 is hereby canceled.

2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $301,700.00.

3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $150,850.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Lang |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-350

A RESOLUTION GRANTING APPROVAL TO THE MODESTO JAYCEES FOR A "PICNIC IN THE PARK" ON JULY 3 AND 4, 1983, A PARADE AND FIREWORKS DISPLAY TO CELEBRATE JULY 4, 1983 IN THE CITY OF MODESTO, AND GRANTING FREE BUS AND DIAL-A-RIDE TRANSPORTATION SERVICE FOR SAID "PICNIC IN THE PARK" ON JULY 3 AND 4, 1933, ALL SUBJECT TO CERTAIN CONDITIONS, AND SUPERSEDING RESOLUTION NOS. 83-163 AND 83-234.

WHEREAS, the Modesto Jaycees (hereinafter referred to as the Jaycees) has filed requests with the City Council for permission to use Enslen Park and Graceada Park for a "Picnic in the Park" as part of the July 4th celebration, and

WHEREAS, said Jaycees has also filed requests relating to its parade and fireworks in connection with its July 4th celebration, and

WHEREAS, the City-County Joint Transportation Committee has recommended that free bus transportation and Dial-A-Ride Service be provided for the "Picnic in the Park", and

WHEREAS, the Council deems it appropriate to grant approvals to the Jaycees relating to its July 4th celebration, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the Jaycee's 1983 "Picnic in the Park":

1. The Jaycees may use Enslen Park and Graceada Park on Sunday, July 3, 1983, and Monday, July 4, 1983, for a "Picnic in the Park".

2. Music shall be confined to Graceada Park and shall terminate at 8:00 o'clock p.m. on July 3 and 4, 1983. Music will not be permitted in Enslen Park.

3. The streets of Sycamore from Needham to Morris, Park from Needham to Morris, Stoddard from Sycamore to Park, and Enslen from Stoddard to Morris may be closed to all traffic except emergency vehicles on Sunday, July 3, 1983, and Monday, July 4, 1983, subject to the approval of the Chief of Police of the City of Modesto. Parking may be permitted along the curbs only. The travel lanes

shall be kept open for emergency vehicles at all times. The City shall furnish all street barricades for the closing of the streets as approved by the Chief of Police.

4. The City of Modesto will provide twenty (20) chemical toilets for the "Picnic in the Park" on Sunday, July 3, 1983, and Monday, July 4, 1983.

5. All necessary licenses and permits must be obtained by each person or organization conducting an activity in either Enslen Park or Graceada Park as part of the "Picnic in the Park".

6. The Committee may charge the following registration fees from persons or organizations conducting an activity in either Enslen Park or Graceada Park:

| | |
|---|---|
| Profit-making organizations | $35.00 |
| Non-profit organizations | $25.00 |
| Anyone requesting electricity | $45.00 |

7. In the event of any disagreement over the right of any person or organization to use either Enslen Park or Graceada Park, the City's Director of Parks and Recreation shall have the right to make the final determination.

8. The Jaycees shall remove any excess trash and debris from both Enslen Park and Greaceada Park which is generated as a result of the "Picnic in the Park". The removal of said excess trash and debris by the Jaycees shall be completed by Tuesday, July 5, 1983, at 12:00 o'clock noon.

9. The Jaycees will distribute a flyer in the neighborhood surrounding Graceada and Enslen Parks advising the neighborhood of the activities planned for the parks.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the Modesto Jaycees' 1983 July 4th parade and fireworks display:

1. "I" Street, between 11th and 12th Streets, will be barricaded between 9:30 a.m. and 3:30 p.m. on Monday, July 4, 1983, for the parade.

2. The City's reviewing stand with canvas top will be placed on "I" Street close to the cannon in the Courthouse Park by City personnel on Sunday, July 3, 1983, for use for the parade on Monday, July 4, 1983.

3. The Jaycees are granted permission to use a public address system at the reviewing stand for the parade. Said public address system to be furnished by the Jaycees.

4. The following parade route is approved as the parade route to be used on Monday, July 4, 1983, subject to approval of the Chief of Police and Director of Parking and Traffic: starting at 10th and F Streets, north on 10th to J Street; east on J Street to 11th; south on 11th to I Street; east on I street to 16th Street; then dismantle.

5. The City will supply three (3) street sweepers for the parade.

6. The Jaycees are granted permission to use Del Webb Field for display of fireworks on the evening of Monday, July 4, 1983, subject to the following conditions:

(a) That the weather conditions will not create any fire hazard to the surrounding area;

(b) That the Jaycees assume the responsibility for cleaning Del Webb Field and adjacent areas after their use;

(c) That the City be reimbursed for any damages which may occur to Del Webb Field and City's two (2) adjacent golf courses;

(d) That arrangements be cleared by the Director of Parks and Recreation and the Chief of Police.

(e) That the fireworks display be conducted according to the requirements of the Fire Chief of the City of Modesto as set forth in the memorandum from the Fire Chief to the City Manager dated April 1, 1983, a copy of which is attached hereto marked Exhibit "A" and made a part hereof as though set forth in full herein.

7. The City will supply a standby fire truck for the fireworks display.

8. The City will provide eight (8) chemical toilets for use in the Municipal Golf Course for the fireworks display on Monday, July 4, 1983.

BE IT FURTHER RESOLVED that the following conditions shall apply to the request of the Modesto Jaycees relating to their 1983 "Picnic in the Park", parade and fireworks display.

1. The City will pay the Jaycees a total of Six Thousand, Seven Hundred and no/100ths ($6,700.00) Dollars to help defray some of the Jaycees' expenses such as insurance, postage, etc. relating to their 1983 "Picnic in the Park", parade and fireworks display.

2. The City will provide police assistance as deemed necessary by the Chief of Police.

3. The City of Modesto shall indemnify and hold harmless the Modesto Jaycees from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the ordinary and customary condition of City property and facilities, or which may arise out of the negligent acts or omissions of any officer, agent, or employee of the City of Modesto.

4. The Modesto Jaycees shall indemnify and hold harmless the City of Modesto, its officers, agents and employees, from any and all liability, costs, damages or injuries to persons or damage to property, which may arise out of or in any way be connected with the Jaycees' use of Del Webb Field and the streets and

areas adjacent thereto for the Jaycees' fireworks display, and the use of Graceada and Enslen Parks and the streets and areas adjacent thereto for the Jaycees' "Picnic in the Park", and the use of City facilities for the Jaycees' parade.

5. The Jaycees shall furnish to the City Clerk of City current and valid certificates of insurance evidencing public liability and property damage insurance as shall protect the Jaycees and its agents and employees from claims for damages for bodily injury and property damage which may arise out of the Jaycees' use of Del Webb Field and the areas adjacent thereto for the Jaycees' fireworks display, and the use of Graceada and Enslen Parks and the streets and areas adjacent thereto for the Jaycees' "Picnic in the Park", and the use of City facilities for the Jaycees' parade.

The amounts of public liability insurance shall be as follows:

Public liability insurance in an amount not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one occurrence because of bodily injury, sickness, and disease including death therefrom (hereafter called "bodily injury") sustained by any one person; and Five Hundred Thousand and no/100ths ($500,000.00) Dollars as the result of one or more occurrences because of "bodily injury", and insurance in an amount not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one or all occurrences for property damage.

The Jaycees' liability policies, and the valid certificates of insurance which are to be furnished to the City Clerk, shall contain contractual liability provisions stating that the policies are extended to cover the liability assumed by the Jaycees under the terms of this resolution, and the

liability policies, and the certificates of insurance to be furnished to City shall not permit cancellation of said insurance unless ten (10) days' prior written notice is furnised to the City Clerk of the City of Modesto.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to bus transportation and Dial-A-Ride service for the "Picnic in the Park":

1. The City will provide/operate one bus on Sunday, July 3, 1983, and two buses on Monday, July 4, 1983, between the approximate hours of 12:30 p.m. and 8:30 p.m. for free shuttle bus service from the downtown area to the "Picnic in the Park" celebration at Graceada Park.

2. Dial-A-Ride service will be open to the general public on a fare-free basis on both Sunday, July 3, 1983, and Monday, July 4, 1983. The hours of Dial-A-Ride service will be extended into the evening to cover the hours of the shuttle bus service on Sunday, July 3, 1983.

3. The total $1,200.00 cost of these services ($600.00 to operate the buses and $600.00 in foregone Dial-A-Ride fares and extra vans) is to be split equally ($600.00) between the City of Modesto and Stanislaus County.

BE IT FURTHER RESOLVED that Resolution Nos. 83-163 and 83-234 are hereby superseded.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the Modesto Jaycees with a copy of this resolution. The Jaycees shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: Bright

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MEMORANDUM

Date: April 1, 1983

TO: City Manager

FROM: Fire Chief

SUBJECT: Fireworks Display - July 4, 1983 - Del Webb Field

Pursuant to the provisions of Section 12648 of the Health and Safety Code of the State of California, I recommend a permit be granted with City Council approval as provided for in Section 12646 of the public display of fireworks to be conducted by the 4th of July Celebration Committee at Del Webb Field, July 4, 1983.

I recommend the permittee be required to provide the following safety measures as a condition for conducting the fireworks display.

1) The pyrotechnic operator shall be currently licensed by the State Fire Marshal.

2) Patrol personnel be provided to prevent the unlawful and dangerous discharge of legal and illegal fireworks on the Municipal Golf Course and on the Del Webb Field property by the general public.

3) Patrol personnel be provided to control the vehicular traffic in the area of the display.

4) Modesto Fire Department be authorized to provide fire patrol services in the fallout area utilizing six (6) off-duty Fire Department personnel and two (2) reserve fire engines.

5) Discharge of fireworks to be permitted only upon the approval of the Fire Marshal who will inspect the area prior to the actual discharging and will determine if compliance has been made with required safety regulations and the wind velocity is not exceeding the knots considered safe for this display.

6) The firing line and downrange area be barricaded and patrolled to prevent injury to spectators due to fallout of rocket components and short ground bursts.

Bruce Simons

BS/sg

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 83-351

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SLURRY SEAL - RESIDENTIAL STREETS 1983-84

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for slurry seal - residential streets, 1983-84

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 28, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-352

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR 1983-84 ASPHALT CONCRETE OVERLAYS - RESIDENTIAL STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for 1983-84 asphalt concrete overlays - residential streets

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 28, 1983 at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-353

A RESOLUTION ACCEPTING THE BID OF HOWK WELL AND EQUIPMENT COMPANY, INC. FOR THE RECONSTRUCTION OF PUMP STATION NO. 4

WHEREAS, Resolution No. 83-261, adopted by the Council of the City of Modesto on May 3, 1983, approved the plans and specifications for the reconstruction of Pump Station No. 4 and authorized the calling for bids; and

WHEREAS, the bids received for the reconstruction of Pump Station No. 4 were opened at 11:05 a.m. on May 24, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Howk Well and Equipment Company, Inc. in the amount of $39,883 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Howk Well and Equipment Company, Inc. in the amount of $39,883 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-354

A RESOLUTION ACCEPTING THE CONSTRUCTION OF EAST LA LOMA PARK TENNIS COURTS

WHEREAS, a report has been filed by the Director of Engineering that the construction of East La Loma Park tennis courts

has been completed by George Reed, Inc.

in accordance with the contract agreement dated June 1, 1982.

NOW, THEREFORE, BE IT RESOLVED that the construction of East La Loma Park tennis courts

be accepted from said contractor, George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $103,150.85 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-355

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** STANDIFORD AVENUE IMPROVEMENTS - CONANT AVENUE TO 644 FEET EAST OF STANDIFORD

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** Standiford Avenue improvements - Conant Avenue to 644 feet east of Standiford **has been completed by** L.M. Roberts Construction

**in accordance with the contract agreement dated** March 22, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** Standiford Avenue improvements - Conant Avenue to 644 feet east of Standiford **be accepted from said contractor,** L.M. Roberts Construction;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $24,802.51 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 7th **day of** June, **19**83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-356

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** PROJECT NO. 13 - REPLACEMENT OF CURB, DRIVE APRONS, AND SIDEWALKS AT VARIOUS LOCATIONS

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** Project No. 13 - replacement of curb, drive aprons, and sidewalks at various locations **has been completed by** Dee Burton Concrete Contractor

**in accordance with the contract agreement dated** January 11, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** Project No. 13 - replacement of curb, drive aprons, and sidewalks at various locations **be accepted from said contractor,** Dee Burton Concrete Contractor;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $42,697 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 7th **day of** June, 19 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-357

A RESOLUTION ACCEPTING THE BIDS OF GLEN WILSON TRUCKING, CENTRAL READY MIX, GENSTAR CEMENT AND LIME, AND SANTA FE ROCK AND SAND FOR ROCK, SAND AND GRAVEL PRODUCTS FOR 1983-84 FISCAL YEAR

WHEREAS, Resolution No. 83-263, adopted by the Council of the City of Modesto on May 3, 1983, approved the plans and specifications for the furnishing of rock, sand and gravel products for the 1983-84 fiscal year and authorized the calling for bids; and

WHEREAS, the bids received for the purchase of rock, sand and gravel products for the 1983-84 fiscal year were opened at 2:00 p.m. on May 24, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Glen Wilson Trucking on Item 1, Central Ready Mix on Items 2, 3, and 7, Genstar Cement and Lime on Items 5 and 6, and Santa Fe Rock and Sand on Items 4 and 8 at an estimated cost of $18,000, be accepted as the lowest responsible bids.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the above mentioned bids be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-358

A RESOLUTION ACCEPTING THE BID OF BLACK DIAMOND FOR FURNISHING 4,000 TREE LODGE POLES

WHEREAS, Resolution No.83-264, adopted by the Council of the City of Modesto on May 3, 1983 , approved the plans and specifications for the purchase of tree lodge poles and authorized the calling for bids; and

WHEREAS, the bids received for the purchase of tree lodge poles were opened at 2:30 p.m. on May 24, 1983 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Black Diamond in the amount of $5,596.80 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Black Diamond in the amount of $5,596.80 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June , 19 83, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside , Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-359

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF TRAFFIC LINE PAINT FROM JUNE 8, 1983, TO NOVEMBER 16, 1983, THROUGH THE STATE OF CALIFORNIA COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Parking and Traffic Department is in need of traffic line paint, and staff has determined purchasing the paint through the State of California Cooperative Purchasing Program will save the City money.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of traffic line paint from June 8, 1983, to November 16, 1983, is hereby waived.

BE IT FURTHER RESOLVED that purchase of traffic line paint from June 8, 1983, to November 16, 1983, through the State of California Cooperative Purchasing Program for an estimated cost of $35,228 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-360

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF METHANE GAS REFUELING EQUIPMENT FROM CENTRAL PLANTS, INC. IN EXCHANGE FOR THE CITY'S PILOT SCRUBBING SYSTEM

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of methane gas refueling equipment from Central Plants, Inc. in exchange for the City's pilot scrubbing system, is hereby waived.

BE IT FURTHER RESOLVED that purchase of methane gas refueling equipment from Central Plants, Inc. , at no cost to the City, in exchange for the City's pilot scrubbing system, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-361

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO CONSENTING TO AND CALLING A JOINT PUBLIC HEARING ON THE PROPOSED REDEVELOPMENT PLAN FOR THE MODESTO REDEVELOPMENT PROJECT AND THE FINAL EIR RELATING THERETO

WHEREAS, the Redevelopment Agency of the City of Modesto (the "Agency"), by Resolution No. 3-83 on June 7, 1983, submitted to the City Council of the City of Modesto (the "City Council") a proposed Redevelopment Plan (the "Redevelopment Plan") for the Modesto Redevelopment Project (the "Project") and consented to and requested that the City Council call a joint public hearing of the Agency and the City Council to consider and act upon the proposed Redevelopment Plan, together with a joint public hearing on the Final Environmental Impact Report on the Redevelopment Plan; and

WHEREAS, the City Council acknowledges receipt of the proposed Redevelopment Plan, along with the Report to the City Council and the Final Environmental Impact Report on the Redevelopment Plan; and

WHEREAS, Section 33355 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) authorizes a joint public hearing on the proposed Redevelopment Plan with the consent of the Agency and the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MODESTO DOES RESOLVE AS FOLLOWS:

Section 1. The City Council hereby consents to and, at the request of the Agency, calls a joint public hearing of the Agency and the City Council on Wednesday, July 6, 1983, at 4:00 p.m. in the City Council Chambers to consider and act upon the proposed Redevelopment Plan and all documents and evidence pertaining thereto, together with a joint public hearing on the Final Environmental Impact Report for the Project.

Section 2. The City Clerk of the City of Modesto shall, in cooperation with the Secretary of the Agency, prepare, publish and mail such notices and documents and do all other acts as may be necessary to carry out the purposes of this resolution.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 7th day of June, 1983, by Council member Patterson, who moved its adoption, which motion being duly seconded by Council member Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Council members: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Council members: None

ABSENT: Council members: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-362

A RESOLUTION APPROVING SUBMISSION OF THE ANNUAL TRANSPORTATION CLAIM TO THE STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (SAAG).

WHEREAS, money is available from the Local Transportation Fund and the State Transit Assistance Fund for use by the City of Modesto in carrying out various activities related to transportation, and

WHEREAS, annually these funds are allocated by the Stanislaus Area Association of Governments (SAAG) in accordance with established priorities, and

WHEREAS, the City of Modesto's claim has been prepared in accordance with established priorities and provides for the use of $1,905,787 from the Local Transportation Fund, $464,000 from the State Transit Assistance Fund, and $159,821 from non-motorized funds,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that submission of the City of Modesto's Annual Transportation Claim by the City Manager to the Stanislaus Area Association of Governments (SAAG) in the amount of $2,529,608 for the fiscal year 1983-84 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call

carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-363

AMENDED

**A RESOLUTION APPROVING /AGREEMENT BETWEEN THE CITY OF MODESTO AND** RAYMOND L. AND RUBY C. MARSH REGARDING THE LEASE OF CITY-OWNED PROPERTY AT 1004 THRASHER

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the /agreement between the City of Modesto and** Raymond L. and Ruby C. Marsh allowing them to pay their rent at the first of each month on City-owned property at 1004 Thrasher

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 7th **day of** June, 1983, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-364

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to amend the specifications for the following classifications, as shown on Exhibits "A", "B", "C" and "D", which are hereby made a part of this resolution by reference and are hereby approved and made a part of the Position Classification Plan of the City of Modesto:

Word Processing Trainee

Word Processing Technician

Senior Word Processing Technician

Word Processing Supervisor

SECTION 2. EFFECTIVE DATE. This resolution shall be effective on and after June 28, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

## DEFINITIONS

Under general supervision, to type less varied and complex documents on automated word processing equipment; to serve as relief secretary in the absence of other City employees; and do related work as required.

## DISTINGUISHING CHARACTERISTICS

Word Processing Trainee is the entry level classification and incumbents are assigned to learn to operate all of the equipment. They may be assigned to other City offices to replace clerical and secretarial employees temporarily absent. Incumbents will be required to serve a one year probation. When the employee's employment history shows twelve (12) months of satisfactory performance as a Word Processing Trainee, he/she will be promoted to Word Processing Technician.

## EXAMPLES OF DUTIES

Operates word processing equipment in transcribing from recorded dictation or handwritten drafts, memoranda, letters, charts, reports and special forms; proofreads work for text content, spelling, punctuation and grammar; logs all incoming and outgoing work; may be assigned temporarily to fill clerical and secretarial positions in other City offices; and maintains security of confidential information.

## EMPLOYMENT STANDARDS

Knowledge of:

- Correct English usage, spelling, grammar, punctuation, and vocabulary;
- Arithmetic;
- Filing procedures;
- Receptionist and telephone techniques;
- Standard office machines.

Ability to:

- Perform data entry into word processing/computer system;
- Use magnetic keyboard typewriting equipment;
- Type at a speed of 60 words per minute from straight copy;
- Transcribe at 30 net words per minute;
- Proofread own material;
- Organize work;
- Apply principles of English usage, spelling, grammar, punctuation, and vocabulary;
- Understand and carry out oral and written instructions;
- Establish and maintain cooperative working relationships with those contacted during the course of work.

Experience:

One year of experience in typing and general clerical work, preferably including use of word processing equipment.

## DEFINITIONS

Under general supervision, to type varied and complex documents on automated word processing equipment; to serve as relief secretary in the absence of other City employees; and do related work as required.

## DISTINGUISHING CHARACTERISTICS

Word Processing Technician is the journey level class that is filled by advancement from the lower class of Word Processing Trainee. Satisfactory performance at this level requires a wide knowledge of departmental procedures and precedents, and requires the ability to choose among alternatives in solving problems. Incumbents are expected to work productively even in the absence of a supervisor. Incumbents may have contact with co-workers or the public, answering a variety of procedural questions or giving out information from established records.

## EXAMPLES OF DUTIES

Operates word processing equipment in transcribing from recorded dictation or handwritten drafts, memoranda, letters, charts, reports and special forms; proofreads work for text content, spelling, punctuation and grammar; prepares formats with speed and accuracy; prepares glossaries of words, phrases, and instructions; logs all incoming and outgoing work; may be assigned temporarily to fill clerical and secretarial positions in other City offices; and maintains security of confidential information.

## EMPLOYMENT STANDARDS

Knowledge of:

- Wang O.I.S. equipment;
- A.B. Dick Magna II equipment;
- Basic procedures and specialized terminology of City departments;
- Correct English usage, spelling, grammar, punctuation, and vocabulary;
- Arithmetic;
- Office methods, practices, and procedures;
- Filing procedures;
- Receptionist and telephone techniques;
- Standard office machines.

Ability to:

- Perform data entry into word processing/computer system;
- Type at a speed of 60 words per minute from straight copy;
- Transcribe at 30 net words per minute;
- Proofread own material;
- Organize work;
- Apply principles of English usage, grammar, spelling, punctuation and vocabulary;

Ability to (continued)

Work under pressure to meet deadlines;
Understand and carry out oral and written instructions;
Establish and maintain cooperative working relationships with those contacted during the course of work.

Experience:

One year experience as a Word Processing Trainee with the City of Modesto.

SENIOR WORD PROCESSING TECHNICIAN

## DEFINITION

Under direction, to train and assign work to subordinate employees; to install software, trouble-shoot, and purge files from system disks and diskettes; to type varied and complex documents on automated word processing equipment in a central word processing facility; and do related work as required.

## DISTINGUISHING CHARACTERISTICS

Senior Word Processing Technician is the class that performs training, assigns work, and supervises the central word processing facility in the absence of the Word Processing Supervisor. This class is not only a journey level Technician, but is also responsible for installing software, trouble-shooting hardware, and purging files from system disks and diskettes.

## EXAMPLES OF DUTIES

Provides training to employees; assigns work and checks final output; prepares formats with speed and accuracy; prepares glossaries of words, phrases, and instructions; installs software; trouble-shoots hardware; determines filing and purging changes for system disks and diskettes; operates word processing equipment in transcribing from recorded dictation or handwritten drafts, memoranda, letters, charts, reports and special forms; proofreads work for text content, spelling, punctuation and grammar; logs all incoming and outgoing work; maintains security of confidential information; may be assigned as relief secretary to operating departments; acts as supervisor in the absence of the Word Processing Supervisor.

## EMPLOYMENT STANDARDS

Knowledge of:

Wang OIS equipment;
A. B. Dick Magna II equipment;
Glossary programming;
Policies, procedures, practices, and terminology of other City departments;
City of Modesto Word Processing Center procedures and practices;
Office methods, practices, and procedures;
Correct English usage, spelling, grammar, punctuation, and vocabulary.

and

Ability to:

Provide training, set priorities, and assign work to subordinate personnel;
Install software into Wang OIS system;
Trouble-shoot hardware in Wang OIS system;
Determine priorities for filing and purging from system disks and diskettes;
Perform data entry into word processing/computer system;
Organize work and meet deadlines;
Type at a speed of 60 words per minute from straight copy;
Transcribe at 30 net words per minute;
Proofread own material;
Apply principles of correct English usage, spelling, grammar, punctuation, and vocabulary;
Understand and carry out oral and written instructions;
Establish and maintain cooperative working relationships with those contacted during the course of work.

Experience:

One year of experience as Word Processing Technician with the City of Modesto.

# WORD PROCESSING SUPERVISOR

## DEFINITION

Under direction, to supervise a central word processing facility and provide clerical assistance to City departments; and to do related work as required.

## EXAMPLES OF DUTIES

Supervises, organizes, and coordinates the work of employees engaged in performing typing and clerical work for City departments; maintains security of confidential information; assigns and reviews typing of letters, reports, statements, forms, statistical material, and transcripts; may personally perform required typing and transcribing work; prepares budget and controls expenditures for central word processing facility; provides training to employees; prepares oral and written performance evaluations; interviews and recommends new appointments; completes and maintains records of unit operations; schedules temporary assistance to line departments.

## EMPLOYMENT STANDARDS

Knowledge of:

City of Modesto Word Processing Center procedures and practices;
Policies, procedures, practices, and terminology of other City departments;
City of Modesto Personnel Rules and Administrative Orders;
Wang OIS equipment;
A. B. Dick Magna II equipment;
Glossary programming;
Wang OIS system software installation;
Trouble-shooting Wang OIS system;
Office methods, practices, and procedures;
Correct English usage, spelling, grammar, and punctuation;
Basic methods used in financial and statistical record keeping;
Principles of supervision and training.

and

Ability to:

Plan, organize, supervise, and schedule the work of staff assigned to central word processing facility;
Coordinate work of the the Word Processing Center with the needs of many City departments;
Provide training to subordinate personnel;
Set standards and evaluate performance;
Assure the proper meeting of work deadlines;
Prepare reports;
Type at a speed of 60 words per minute from a clear copy;
Transcribe at 30 net words per minute;
Understand and carry out oral and written instructions;
Establish and maintain cooperative relationships with those contacted during the course of work;

and

Experience:

Training and experience that meets the knowledges and abilities required above. This can be fulfilled by a minimum of four (4) years of experience in typing and general clerical work, including three (3) years' experience on automated word processing equipment.

or

One (1) year as Senior Word Processing Technician with the City of Modesto.

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-365

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** REGARDING CITY'S APPLICATIONS TO H.U.D. FOR ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATION AND ADDITIONAL C.D.B.G. FUNDS (FEDERAL EMERGENCY JOBS BILL H.R. 1718)

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** June 21, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a hearing regarding the City's applications to H.U.D. for annual Community Development Block Grant allocation and additional C.D.B.G. funds (Federal Emergency Jobs Bill H.R. 1718).

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 7th **day of** June **,** 19 83 **, by Councilmember** Muratore **, who moved its adoption, which motion being duly seconded by Councilmember** Lang **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-366

A RESOLUTION ADOPTING A SCHEDULE OF RATES AND CHARGES FOR TOWING SERVICES IN THE CITY OF MODESTO.

WHEREAS, Chapter 10 entitled "Towing Services" of Title III of the Modesto Municipal Code (§§3-10.01, et seq.) prescribes regulations for the operation of towing services in the City of Modesto, and

WHEREAS, Modesto Municipal Code §3-10.24 provides that charges made by towing service operators for services rendered pursuant to said regulations shall be established by the City Council by resolution after a review of the rates and charges used in comparable communities and operating data supplied by the towing service operators, and

WHEREAS, the Chief of Police has recommended to the City Council a revised schedule of rates and charges for towing services based upon a review of rates and charges used in comparable communities, and operating data supplied by the towing service operators,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following schedule of rates and charges for towing services to be charged by all towing service operators providing services pursuant to Chapter 10 of Title III of the Modesto Municipal Code from June 10, 1983 until revised by the City Council:

RATE SCHEDULE
FOR TOWING, STORAGE, AND MISCELLANEOUS

| | | |
|---|---|---|
| 1. | Daytime Towing (8 a.m. - 5 p.m.) | $38.00 |
| 2. | Night (5 p.m. - 8 a.m., including weekends and holidays) | 45.00 |
| 3. | Use of "dolly"<br>(Dolly is a multi-wheeled device to tow a vehicle when it cannot be towed in the normal manner) | 16.50 |
| 4. | Labor (per 15 minutes after first 15 minutes) | 8.00 |

| | | |
|---|---|---|
| 5. | Crane Charges (includes winching, recovery, etc.) | |
| | First fifteen (15) minutes | 15.00 |
| | Each fifteen (15) minute period thereafter (Labor charge) | 8.00 |
| 6. | Storage (for a 24-hour period or less) | |
| | Outside storage | 5.50 |
| | Inside storage | 8.00 |
| 7. | After hours release or call back (Releasing clothing, cameras, etc. to owner) | 20.00 |
| 8. | Large vehicle (1 1/2 tons factory rate and over including motorhomes) per hour | |
| | Daytime (8 a.m. - 5 p.m.) | 45.00 |
| | Night and holidays | 50.00 |
| 9. | Emergency Roadside Service (no preference) | |
| | Day | 20.00 |
| | Night and holiday | 25.00 |
| 10. | Reasonable extra charges may be charged for services outside the major Modesto geographical area. (The justification of such extra charges shall be subject to review and approval by the Chief of Police.) | |
| 11. | Reasonable extra charges may be charged for unusual job situations such as going into canals, rivers, to make vehicle hook ups. | |
| 12. | Per mile charge (one way) after first five (5) miles | 3.00 |

BE IT FURTHER RESOLVED that Resolution No. 80-1261 adopted on December 9, 1980, is hereby rescinded as of June 10, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly

seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-367

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** TO CONSIDER DELINQUENT WATER TURN OFF AND RECONNECTION CHARGE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** June 21, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** delinquent water turn off and reconnection charge.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 7th **day of** June **,** 1983 **, by Councilmember** Muratore **, who moved its adoption, which motion being duly seconded by Councilmember** Lang **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-368

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MODESTO AND THE MODESTO CITY EMPLOYEES ASSOCIATION AND MANAGEMENT REPRESENTATIVES OF THE CITY OF MODESTO FOR THE FISCAL YEAR COMMENCING JULY 1, 1983, AND ENDING JUNE 30, 1984

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Memorandum of Understanding between the City of Modesto and the Modesto City Employees Association and Management Representatives of the City of Modesto covering the fiscal year commencing July 1, 1983, and ending June 30, 1984, be and it is hereby approved.

BE IT FURTHER RESOLVED that the implementation of said Memorandum of Understanding by the designated City officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1983, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-369

A RESOLUTION APPOINTING MEMBER OF THE CULTURE COMMISSION (SHIRLEY ELKE)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Culture Commission for the respective term as indicated:

Shirley Elke
2501 Edgebrook Drive
Modesto, Ca. 95354
Term to expire 1/1/87

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Culture Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 19 83, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-370

A RESOLUTION ACCEPTING THE BID OF VALLEY SLURRY SEAL CO. FOR SECOND LAYOR SLURRY SEAL - DOWNTOWN CITY STREETS

WHEREAS, Resolution No. 83-300, adopted by the Council of the City of Modesto on May 17, 1983, approved the plans and specifications for the second layor slurry seal - downtown City streets and authorized the calling for bids; and

WHEREAS, the bids received for the second layor slurry seal - downtown City streets were opened at 11:05 a.m. on June 7, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Valley Slurry Seal Co. in the amount of $27,826.20 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Valley Slurry Seal Co., in the amount of $27,826.20 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-371

A RESOLUTION ACCEPTING THE BID OF CRYSTAL POOL SERVICE FOR FURNISHING SWIMMING POOL CHLORINE AND MURIATIC ACID

WHEREAS, Resolution No. 83-303, adopted by the Council of the City of Modesto on May 17, 1983, approved the plans and specifications for the purchase of swimming pool chlorine and muriatic acid and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of swimming pool chlorine and muriatic acid were opened at 2:05 p.m. on June 7, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Crystal Pool Service for an estimated cost of $7,150 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Crystal Pool Service for an estimated cost of $7,150 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-372

A RESOLUTION ACCEPTING THE BID OF JONES CHEMICALS, INC. FOR FURNISHING LIQUID CHLORINE

WHEREAS, Resolution No. 83-283, adopted by the Council of the City of Modesto on May 10, 1983, approved the plans and specifications for the purchase of annual requirements of liquid chlorine and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of liquid chlorine were opened at 2:00 p.m. on May 31, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Jones Chemicals, Inc. in the amount of $156.60 per ton for a period of one year be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Jones Chemicals, Inc. in the amount of $156.60 per ton be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-373

A RESOLUTION ACCEPTING THE BID OF WESTERN STATES TESTING FOR FURNISHING ANNUAL COMPACTION, AGGREGATE AND CONCRETE TESTING SERVICES

WHEREAS, Resolution No. 83-281, adopted by the Council of the City of Modesto on May 10, 1983, approved the plans and specifications for the purchase of annual compaction, aggregate and concrete testing services and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of annual compaction, aggregate and concrete testing services were opened at 2:30 p.m. on May 31, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Western States Testing in the amount of $22,687.50 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Western States Testing in the amount of $22,687.50 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-374

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING ONE SERVICE TRUCK AND ONE 3/4-TON VAN, AND OPENED IN THE OFFICE OF THE CITY CLERK ON MAY 17, 1983, AT 2:05 P.M.

WHEREAS, Resolution 83-241, adopted by the Council of the City of Modesto on April 26, 1983, approved the plans and specifications for furnishing one service truck and one 3/4-ton van and authorized the call for bids; and

WHEREAS, the bids received for furnishing one service truck and one 3/4-ton van, were opened at 2:05 p.m. on May 17, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, since the bid opening, both bidders have advised the City that they cannot supply the vehicles since it is too late in the 1983 production year to place orders with the factory; and

WHEREAS, it is the recommendation of staff that all bids received for furnishing one service truck and one 3/4-ton van be rejected and the project be rebid this Fall for 1984 vehicles.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that all bids received for the furnishing of one service truck and one 3/4-ton van and opened in the office of the City Clerk on May 17, 1983, are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Whiteside , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-375

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF AERIAL BUCKET REPAIR SERVICES FROM PAC POWER

WHEREAS, the Service Division is requesting the purchase of aerial bucket repair services on a truck used by the Parks and Recreation Tree Division for tree maintenance services; and

WHEREAS, Pac Power, located in Dixon, is the only factory authorized service center in Northern California for the Hy-Ranger aerial buckets used by the City.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of aerial bucket repair services is hereby waived.

BE IT FURTHER RESOLVED that purchase of aerial bucket repair services from Pac Power, not to exceed $8,000,is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-376

**A RESOLUTION ACCEPTING THE** INSTALLATION OF BEYER BALLPARK LIGHTING AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Engineering **that the** installation of Beyer Ballpark lighting **has been completed by** Bowden Electric **in accordance with the contract agreement dated** April 13, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the** installation of Beyer Ballpark lighting **be accepted from said contractor,** Bowden Electric;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $158,371 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 14th **day of** June, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-377

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** SLURRY SEALING VARIOUS RESIDENTIAL STREETS AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** slurry sealing various residential streets 1982-83 **has been completed by** Graham Contractors, Inc.

**in accordance with the contract agreement dated** September 7, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** slurry sealing various residential streets 1982-83 **be accepted from said contractor,** Graham Contractors, Inc.;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $56,286.05 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 14th **day of** June, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-378

**A RESOLUTION ACCEPTING THE** MODIFICATION OF THE OLD COMMUNICATION AREA AT THE MODESTO POLICE DEPARTMENT

**WHEREAS, a report has been filed by the** the Director of Engineering **that the** modification of the old communication area at the Modesto Police Department **has been completed by** B & L Builders

**in accordance with the contract agreement dated** January 25, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the** modification of the old communication area at the Modesto Police Department **be accepted from said contractor,** B & L Builders;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $8,730.95 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 14th **day of** June, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-379

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON APPEAL BY WILLIAM A. HUCKABY & ASSOCIATES TO A PLANNING COMMISSION DECISION CONCERNING THE TENTATIVE MAP FOR CEDARBROOK NO. 2 & 3, P-D(218)

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** July 5, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by William A. Huckaby & Associates to a Planning Commission decision concerning the tentative map for Cedarbrook No. 2 & 3, P-D(218).

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 14th **day of** June**, 19** 83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-380

A RESOLUTION APPROVING THE CONSTRUCTION OF A PISTOL AND SMALL BORE RIFLE RANGE AT 2053 YOSEMITE BOULEVARD IN THE CITY OF MODESTO.

WHEREAS, Section 4-2.07 of the Modesto Municipal Code requires that written permission must be obtained from the City Council to open, maintain, conduct and/or carry on shooting ranges or galleries in the City of Modesto, and

WHEREAS, Section 4-2.07 of the Modesto Municipal Code limits shooting ranges and galleries to rifle and pistols of "22 caliber", and

WHEREAS, a letter has been received by the Council from Dennis E. Wilson, on behalf of Roger and Gary Boucher, requesting Council approval to construct a pistol and small bore rifle range located at 2053 Yosemite Boulevard, and

WHEREAS, the Chief of Police has investigated said request and has recommended that the Council grant approval for the requested pistol and small bore rifle range located at 2053 Yosemite Boulevard, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that approval is hereby granted to Roger and Gary Boucher, for a pistol and small bore rifle range located at 2053 Yosemite Boulevard, subject to the following conditions:

1. That the pistol and small bore rifle range be constructed in accordance with the plot plan entitled "Shooting Sports Facilities 'Gun Country' for Roger and Gary Boucher" dated May 17, 1983, a copy of which is on file in the office of the City Clerk.

2. That only cartridges of the character and caliber permitted by Section 4-2.07 of the Modesto Municipal Code shall be used at said pistol and small bore rifle range.

3. That before any smokeless powder is stored on the premises, the proper permits shall be obtained from the Modesto Fire Department.

4. That an extra heavy-duty ventilation system be provided in the shooting facility; the exhaust fumes from said system shall not be ventilated into the alley unless a filtering system is provided.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-381

A RESOLUTION ENDORSING AN APPLICATION BY THE MODESTO CHAMBER OF COMMERCE FOR EMPLOYMENT GENERATING SERVICES FUNDING THAT IS AVAILABLE FROM THE STANISLAUS COUNTY PRIVATE INDUSTRY COUNCIL TO UPGRADE THE ECONOMIC DEVELOPMENT PROGRAM IN THE MODESTO AREA.

WHEREAS, the Modesto Chamber of Commerce desires to apply for employment generating funding that is available from the Stanislaus County Private Industry Council to upgrade the economic development program in the Modesto area, and

WHEREAS, the Council of the City of Modesto desires to endorse said application,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby endorses the application to be submitted by the Modesto Chamber of Commerce for employment generating services funding that is available from the Stanislaus County Private Industry Council to upgrade the economic development program in the Modesto area.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

PRIVATE INDUSTRY COUNCIL
OF STANISLAUS COUNTY
ECONOMIC DEVELOPMENT PLAN

## APPLICATION FOR EMPLOYMENT GENERATING SERVICES FUNDS

Name of Organization: MODESTO CHAMBER OF COMMERCE

Mailing Address: P. O. BOX 844 street address: 1114 J St. Modesto
(Number and Street)

MODESTO CA 95353
(City) (State) (Zip Code)

Contact Person: DAVE KILBY

Telephone Number: (209) 577-5757
(Area Code)

Official authorized to sign for your organization:

Name: DAVE KILBY Title: EXECUTIVE VICE PRESIDENT
(Please type)

Signature: Dave Kilby Date: 6-9-83

Concurrence or Endorsement:

Name of Organization: City of Modesto

Mailing Address: 801 11th Street
(Number and Street)

Modesto, California 95353
(City) (State) (Zip Code)

Contact Person: Garth Lipsky, City Manager

Telephone Number: (209) 577-5223
(Area Code)

Official authorized to sign for organization:

Name: Norrine Coyle Title: City Clerk & Auditor
(Please type)

Signature: Norrine Coyle Date: June 15, 1983

**DESCRIPTION**

**Use the space below to provide a description of what you propose to do. Describe how this approach will publicize the Private Industry Council and the local employment and training system. Include projected costs and other pertinent information. Use additional sheets if necessary.**

The Modesto Chamber of Commerce would like to apply for the employment generating services funding that is available from the Stanislaus County Private Industry Council to upgrade our economic development program.

We propose to produce a multi-media slide presentation (professionally done) that we would show to prospective businesses and industries who are interested in locating in the Modesto area. Such a production would greatly enhance our existing efforts and we feel would project a professional image that is serious about economic development and putting our people back to work.

As outlined in the PIC guidelines, one of the areas that we will emphasize in this presentation will be employment training opportunities available through the Private Industry Council and other local agencies.

In addition to the above mentioned slide presentation, we would like to use PIC funding to cover costs to attend trade shows and economic development-type of conventions and conferences. We would show the multi-media slide presentation at these events and distribute other eceonomic development materials. Attendance at these events would allow us to learn more about the field of economic development and solicit business and industry to our area.

A complete budget for this proposal is outlined below:

MULTI-MEDIA SLIDE PRESENTATION

| | |
|---|---|
| Equipment | $2,390 |
| Photography | $ 750 |
| Sound Studio | $ 750 |
| Professional services | $3,610 |
| TRADE SHOWS AND CONFERENCES | $2,000 |
| TOTAL REQUEST | $9,500 |

MODESTO CITY COUNCIL
RESOLUTION NO. 83-382

A RESOLUTION AUTHORIZING PAYMENT TO THE MODESTO HIGH SCHOOL DISTRICT OF STANISLAUS COUNTY FROM THE SCHOOL SITE AND FACILITIES TAX FUND OF THE CITY OF MODESTO FOR ACQUISITION OF PROPERTY FOR THE EXPANSION OF THE MODESTO HIGH SCHOOL SITE.

WHEREAS, the Modesto High School District of Stanislaus County is in the process of expanding the Modesto High School site by the acquisition of the Washington Elementary School site from the Modesto City School District of Stanislaus County, a small park area owned by the City of Modesto and four privately owned parcels, and

WHEREAS, the City Council's Public Projects Committee recommended that said acquisitions by the Modesto High School District of Stanislaus County be funded from the City's School Site and Facilities Tax Fund, and

WHEREAS, by Resolution No. 81-995, adopted on November 10, 1981, this Council accepted the recommendation of the Public Projects Committee and authorized the use of moneys from the City of Modesto's School Site and Facilities Tax Fund for acquisition of said properties for the proposed expansion of the Modesto High School site, and

WHEREAS, said Resolution No. 81-995 further provided that after the Modesto High School District of Stanislaus County had acquired all of the properties for said expansion of the Modesto High School site, the City of Modesto would reimburse the Modesto High School District of Stanislaus County for the various properties in amounts which are consistent with the appraised value of the various properties, and

WHEREAS, the Modesto High School District of Stanislaus County has acquired all of the properties for said expansion of the Modesto High School site, except the small parcel owned by the City, which is being authorized by a separate

action of this Council, and

WHEREAS, the Modesto High School District of Stanislaus County has requested reimbursement for the various properties it has acquired, and

WHEREAS, City staff has reviewed said request and has recommended that the Modesto High School District of Stanislaus County be reimbursed for said acquisitions, including escrow costs and acquisition services costs, in the amount of $556,048.14, plus $121.65 in additional escrow costs, if said additional escrow costs are not reimbursed by Stanislaus County as being exempt costs for a public agency,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes payment to the Modesto High School District of Stanislaus County for the above referred to property acquisitions, including escrow costs and acquisition services costs, in the amount of $556,048.14, plus $121.65 in additional escrow costs, if said additional costs are not reimbursed by Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-383

A RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO SIGN A GRANT DEED FOR THE TRANSFER OF PROPERTY LOCATED AT WASHINGTON AND FIRST STREETS FROM THE CITY OF MODESTO TO THE MODESTO HIGH SCHOOL DISTRICT OF STANISLAUS COUNTY FOR EXPANSION OF THE MODESTO HIGH SCHOOL SITE.

WHEREAS, the Modesto High School District of Stanislaus County is in the process of expanding the Modesto High School site by the acquisition of the Washington Elementary School site from the Modesto City School District of Stanislaus County, a small park area owned by the City of Modesto and four privately owned parcels, and

WHEREAS, the City Council's Public Project Committee recommended that said acquisitions by the Modesto High School District of Stanislaus County be funded from the City's School Site and Facilities Tax Fund, and

WHEREAS, by Resolution No. 81-995, adopted on November 10, 1981, this Council accepted the recommendation of the Public Projects Committee and authorized the use of moneys from the City of Modesto's School Site and Facilities Tax Fund for Acquisition of said properties for the proposed expansion of the Modesto High School site, and

WHEREAS, the Modesto High School District of Stanislaus County has acquired all of the properties for said expansion of the Modesto High School site, except the small park area owned by the City of Modesto and located at the intersection of Washington and First Streets in the City of Modesto, and

WHEREAS, the Council deems it appropriate at this time to authorize a grant deed to transfer title to said small park area from the City of Modesto to the Modesto High School District of Stanislaus County and to transfer the appraised value of said city owned parcel from the City's School Site and Facilities Tax Fund to the City's General Fund,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City Manager and City Clerk to execute a grant deed from the City of Modesto to the Modesto High School District of Stanislaus County conveying the following described parcel:

> All that portion of the Northwest quarter of Section 32, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:
>
> All that portion of Lot 1 in Block "A" lying Westerly of a line 128.90 feet, Westerly from and paralleling the Westerly property line of "H" Street, as shown on Block Maps of the City of Modesto and recorded in Maps, Volume 12, Stanislaus County Records, in the office of the County Recorder, Stanislaus County, California.
>
> EXCEPTING THEREFROM a triangular parcel bounded on the West by the Eastern line of 80.00 foot Washington Street and bounded on the Northeast by the Southwestern line of 80.00 foot 1st Street and bounded on the Southeast by a tangent curve concave to the Southeast, having a Radius of 15.00 feet.

BE IT FURTHER RESOLVED that the Director of Finance is authorized to transfer $15,000.00 from the City School Site and Facilities Tax Fund (Fund No. 12) to the City's General Fund (Fund No. 01).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the

following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-384

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $569,766 FROM CONTINGENCY RESERVE TO PAY FOR EXPANSION OF MODESTO HIGH SCHOOL UNDER THE SCHOOL SITE AND FACILITIES TAX PROGRAM

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Contingency Reserve for Pending Projects (61-04 8911 12) | $569,766 |
| TO: | Modesto High School (6268.00 7101 12) | $569,766 |

*Funds needed to pay for expansion of Modesto High School under the School Site and Facilities Tax Program.*

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 14th **day of** June, 19 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-385

AMENDED
**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** BE-AMADIN INVESTMENTS CO. FOR REIMBURSEMENT OF SEWER COSTS INCURRED BY THEM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the/ agreement between the City of Modesto and** Be-Amadin Investments Company for reimbursement of sewer costs incurred by them

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 14th **day of** June, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-386
AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** JOAQUIN CONSTRUCTION COMPANY FOR REIMBURSEMENT OF SEWER COSTS INCURRED BY THEM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the/agreement between the City of Modesto and** Joaquin Construction Company for reimbursement of sewer costs incurred by them

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 14th **day of** June, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-387

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** MODESTO IRRIGATION DISTRICT TO ENGAGE A CONSULTING ENGINEER TO DETERMINE THE BEST MEANS OF LONG-RANGE MANAGEMENT OF THE WATER SUPPLY IN THE MODESTO AREA

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Modesto Irrigation District to engage a consulting engineer to determine the best means of long-range management of the water supply in the Modesto Area

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 14th **day of** June, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-388

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** OF NECESSITY TO ACQUIRE A PARCEL OF RIGHT OF WAY NEEDED FOR THE OAKDALE/BRIGGSMORE TO FLOYD PROJECT (AMER AMERI ET AL)

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** July 5, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire a parcel of right of way needed for the Oakdale/Briggsmore to Floyd Project.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 14th **day of** June, 19 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-389

A RESOLUTION AUTHORIZING THE ISSUANCE OF NINE CHECKS TO COMPENSATE UNDERLYING FEE OWNERS OF THE CITY'S OUTFALL EASEMENTS FOR DAMAGES.

WHEREAS, the City of Modesto's proposed Waste Water Treatment Plant improvement expansion project includes construction of a parallel outfall line from the City's existing Primary Wastewater Treatment Plant to the City's Remote Oxidation Ponds, and

WHEREAS, said parallel outfall line will be located in existing easements owned by the City of Modesto, and

WHEREAS, the construction of said outfall line in said easements will cause damages to and loss of existing crops located in said easements, and

WHEREAS, the City, pursuant to the original agreements by which it acquired said easements, must compensate the underlying fee owners of the easements for said damages to and loss of existing crops resulting from the construction of the parallel outfall line, and

WHEREAS, to establish a value for the damage to and loss of existing crops, the City staff has had the easements appraised by a real estate appraiser, and

WHEREAS, the Council desires to authorize the issuance of checks in the appraised amounts to the underlying fee owners of the nine properties involved,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorzie the issuance of nine checks to the persons and in the amounts shown:

| | |
|---|---|
| Bernard Stuit, et al. | $5,400.00 |
| Corporation of the President of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation, sole | $12,000.00 |

| | |
|---|---|
| Corporation of the Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation, sole | $ 900.00 |
| Tony Morris, et al. | $ 667.00 |
| Manuel J. Souza, et ux | $ 200.00 |
| Curtis E. Rogers, et ux | $ 300.00 |
| Howard Hughes, et ux | $ 285.00 |
| Ben J. Holgate, et ux | $ 25.00 |
| Leon P. Mollet, et al. | $4,350.00 |

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-390

A RESOLUTION APPROVING THE REQUEST OF BOYETT PETROLEUM FOR REFUND OF A $651.10 OVERPAYMENT OF BUSINESS LICENSE TAXES

BE IT RESOLVED by the Council of the City of Modesto that the request of Boyett Petroleum for a refund of $651.10 overpayment of business license taxes is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-391

A RESOLUTION REVISING THE SPECIFICATIONS FOR THE CLASSIFICATIONS OF DIRECTOR OF UTILITY SERVICES AND DIRECTOR OF ENGINEERING SERVICES PROVIDED UNDER THE POSITION CLASSIFICATION PLAN OF THE CITY OF MODESTO.

WHEREAS, at the time the Department of Public Works was divided into Engineering Services and Utility Services, the Director of Engineering Services was designated the City Engineer and the Director of Utility Services was designated the Superintendent of Streets, and

WHEREAS, in the past, duties of the Superintendent of Streets included the Sidewalk Program, Improvement Districts, the filing of a year-end report, and the closing of streets, which was carried out by the Director of Public Works, who was also the Superintendent of Streets, and

WHEREAS, with the division of the Public Works Department, it has become evident in the past few months that it is more appropriate to move the title of Superintendent of Streets to the Director of Engineering Services, and

WHEREAS, said revision to the job specifications for the classifications of Director of Utility Services and Director of Engineering Services has been recommended by the Deputy City Manager, and

WHEREAS, the revision will allow the title of Superintendent of Streets to be transferred from the job specification of Director of Utility Services to the job specification of Director of Engineering Services,

NOW, THEREFORE, BE IT RESOLVED by the the Council of the City of Modesto that the job specifications for the classifications of Director of Utility Services and Director of Engineering Services be revised as shown on the attached Exhibit "A" and Exhibit "B", which by this reference are made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED that the revised specifications for Director of Utility Services and Director of Engineering Services are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

# DIRECTOR OF UTILITY SERVICES

## DEFINITION

Under administrative direction, to plan, organize, direct and evaluate the activities of the Utility Services Department; to coordinate the planning, construction, maintenance, and inspection of utility services; and to do related work as required.

## EXAMPLES OF DUTIES

Plans, directs and coordinates department operations; integrates operations with other City departments and with federal, state, and county agencies and other cities; prepares and presents budget estimates and work programs; after approval, controls budget expenditures within the department and sets up an adequate system of reporting from subordinates necessary control information; conducts studies, prepares reports, and makes recommendations for the City Manager; represents the City in local matters and at conferences relating to the utility services program; establishes broad departmental policies and directs and coordinates top subordinates engaged in carrying out the public works program.

## SPECIAL REQUIREMENTS

Possession of a valid Certificate of Registration as a Civil Engineer issued by the State Board of Registration for Professional Engineers.

Possession of an appropriate California operator's license issued by the State Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

## EMPLOYMENT STANDARDS

Knowledge of:

- Civil engineering principles and practices as applied to the field of municipal public works, including planning, developing, designing, constructing, operating, and maintaining a variety of facilities;
- Technical, legal, financial, and public relations problems involved in the conduct of a municipal utilities program; Methods of preparing designs, plans, specifications, estimates, reports, and recommendations relating to municipal utilities and public works facilities;
- Principles of personnel management, supervision, organization, and training.

and

*Ability to:*

*Plan, organize, direct, coordinate and evaluate the work of the Department's staff in public works maintenance, operations, and inspection activities;*
*Prepare and administer departmental budget and controls;*
*Advise the City Manager, Mayor, and City Council on utility services needs and problems;*
Prepare comprehensive and complex technical reports;
Establish and maintain cooperative and effective work relationships with subordinates, public groups and organizations, City officials, and other governmental agencies.

and

Experience:

Five years of progressively responsible and varied professional civil engineering experience, including three years in a supervisory or administrative capacity over professional and subprofessional engineering personnel.

and

Education:

Graduation from a four year college or university with a major emphasis in Civil Engineering.

## DEFINITION

Under administrative direction, to plan, organize, direct and evaluate the activities of the Engineering Services Department; to perform the duties of City Engineer; to perform the duties of Superintendent of Streets; to coordinate the planning, design, and inspection of engineering projects and services; and to do related work as required.

## EXAMPLES OF DUTIES

Plans, directs and coordinates department operations; integrates operations with other City departments and with federal, state, and county agencies and other cities; prepares and presents budget estimates and work programs; after approval, controls budget expenditures within the department and sets up an adequate system of reporting from subordinates necessary control information; conducts studies, prepares reports, and makes recommendations for the City Manager; represents the City in local matters and at conferences relating to the engineering services program; fulfills all responsibilities of City Engineer.

## SPECIAL REQUIREMENTS

Possession of a valid Certificate of Registration as a Civil Engineer issued by the State Board of Registration for Professional Engineers.

Possession of an appropriate California operator's license issued by the State Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

## EMPLOYMENT STANDARDS

Knowledge of:

- Civil engineering principles and practices as applied to the field of municipal public works, including planning, developing, designing, constructing, operating, and maintaining a variety of public works facilities;
- Technical, legal, financial, and public relations problems involved in the conduct of a municipal engineering and design program;
- Methods of preparing designs, plans, specifications, estimates, reports, and recommendations relating to the above;
- Principles of personnel management, supervision, organization, and training.

and

*Ability to:*

*Plan, organize, direct, coordinate and evaluate the work of the Department's staff in engineering and inspection activities;*
*Prepare and administer departmental budget and controls;*
*Advise the City Manager, Mayor, and City Council on engineering services needs and problems;*
Prepare comprehensive and complex technical reports;
Establish and maintain cooperative and effective work relationships with subordinates, public groups and organizations, City officials, and other governmental agencies.

and

Experience:

Five years of progressively responsible and varied professional civil engineering experience including design and construction, and including three years in a supervisory or administrative capacity over professional and subprofessional engineering personnel.

and

Education:

Graduation from a four year college or university with a major emphasis in Civil Engineering.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-392

A RESOLUTION APPOINTING MEMBER OF THE PLANNING COMMISSION (GILBERT L. STURGIS)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Planning Commission for the respective term as indicated:

Gilbert L. Sturgis
1006 Redondo Court
Modesto, Ca. 95350
Term to expire 1/1/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Planning Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-393

**A RESOLUTION APPOINTING MEMBER OF THE** AIRPORT ADVISORY COMMITTEE (JAMES R. BRASHEAR)

**WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:**

**SECTION 1. The following person is hereby appointed to the** Airport Advisory Committee **for the respective term as indicated:**

James R. Brashear
209 Patricia Lane
Modesto, Ca. 95354
Term to expire 1/1/87

**SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the** Airport Advisory Committee **and the Secretary thereof.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 14th **day of** June, 19 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-394

A RESOLUTION DENYING THE APPEAL OF MICHAEL A. DE RUOSI, JR. TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING AN APPEAL FROM A CITY STAFF PARKING DETERMINATION FOR THE CITY MALL DEVELOPMENT AT 11TH AND "J" STREETS IN THE CITY OF MODESTO, AND AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, the City Mall, a commercial/office redevelopment of the old Penney's building at the east corner of 11th and "J" Streets was established by Planned Development Zone, P-D(322), in 1982, and

WHEREAS, this 62,500 sq. ft. building has no off-street parking of its own but the building had what is commonly referred to as "full parking credit" based on the parking requirement for its previous use at one parking space per each 500 sq. ft. of gross building area, and

WHEREAS, at the Planning Commission hearing to rezone to P-D(322), the applicant was advised that additional parking must be provided for uses which exceed the standard retail/office parking requirements, and

WHEREAS, recently added as tenants to the City Mall are a yogurt sales establishment and a County Traffic Court both of which uses exceed the one space per 500 sq. ft. of gross building area parking requirement, and

WHEREAS, of the 18 additional parking spaces required over and above the parking "credit", 9 are provided in the City's parking garage across the street and 9 spaces remain to be provided, and

WHEREAS, Michael A. DeRuosi, Jr., a partner in the City Mall, has been advised by letter from City staff that the 9 spaces must be provided and that in lieu parking fees as allowed in Section 10-2.1806 of the Modesto Municipal Code can be paid, and

WHEREAS, Michael deRuosi appealed the staff determination that more parking is required for the City Mall on the basis that he has excess parking "credit" because he has only about 45,000 sq. ft. of net rentable building area, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on June 21, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Board of Zoning Adjustment, by Resolution No. 1106, found and determined that the Municipal Code clearly calls for parking to be calculated based on gross building area, not rentable building area, and that it is not reasonable to calculate parking credit based upon a larger gross building area and only be required to provide parking based on a lesser net rentable area, and upheld the parking determination methods used by the City staff and denied the appeal of Michael deRuosi, and

WHEREAS, an appeal was filed by Michael deRuosi to the decision of the Board of Zoning Adjustment which denied his appeal from a City staff parking determination for the City Mall development at 11th and "J" Streets in the City of Modesto, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 p.m. on June 21, 1983, and

WHEREAS, after hearing evidence both oral and documentary at said hearing the Council found and determined that said appeal to the decision of the Board of Zoning Adjustment denying the appeal of Michael A. deRuosi, Jr.

from a City staff parking determination for the City Mall development at 11th and "J" Streets should be denied and the decision of the Board of Zoning Adjustment affirmed for the reasons set forth by the Board of Zoning Adjustment in its Resolution No. 1106.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Michael A. deRuosi, Jr. to the decision of the Board of Zoning Adjustment, which denied his appeal from a City staff parking determination for the City Mall development at 11th and "J" Streets in the City of Modesto, is hereby denied and the decision of the Board of Zoning Adjustment which denied the appeal from the determination of the City staff is hereby affirmed for the reasons set forth by the Board of Zoning Adjustment in its Resolution No. 1106.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-395

A RESOLUTION ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, EIGHTH YEAR APPLICATION, JULY 1, 1983 to June 30, 1984 AND AUTHORIZING THE CITY MANAGER TO FILE THE APPLICATION, INCLUDING ALL UNDERSTANDINGS AND ASSURANCES CONTAINED THEREIN, WITH THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND DESIGNATING THE CITY MANAGER TO ACT IN CONNECTION WITH THE APPLICATION AND TO PROVIDE SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED.

WHEREAS on April 12, 1976, by Resolution No. 76-538 the City Council of the City of Modesto established a Housing Maintenance Program to work under the guidance and control of the Citizens Housing and Community Development Committee on community development activities, and to make appropriate recommendations to the City Council, and

WHEREAS, the Citizens Housing and Community Development Committee has held a series of public meetings and on Februay 11, 1983, held a public hearing on the components of the 1983-84 Community Development Block Grant application, and

WHEREAS, on April 27, 1983, the Citizens Housing and Community Development Committee approved the 1983-84 Community Development Block Grant application and recommended it for approval to the City Council, and

WHEREAS, the City Council considered the 1983-84 Community Development Block Grant application on June 21, 1983, and

WHEREAS, the City of Modesto has provided citizens with information concerning the amount of funds available for proposed community development and housing activities, the range of activities that may be undertaken and other related information, and

WHEREAS, the City of Modesto has provided citizens an adequate opportunity to participate in the development of the application and in the development of any revisions, changes, or amendments, and

WHEREAS, the City Council has determined that the project will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said Council does hereby approve the 1983-84 Community Development Block Grant Program application, for the eighth fiscal year, from July 1, 1983 to June 30, 1984.

BE IT FURTHER RESOLVED that the City Council does hereby authorize the City Manager to file said application, including all understandings and assurances contained therein, with the U. S. Department of Housing and Urban Development and designates the City Manager to act in connection with said application and to provide such additional information as may be required.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-396

A RESOLUTION ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM STATEMENT AND APPLICATION FOR SUPPLEMENTAL FUNDS, JULY 1, 1983 TO JUNE 30, 1984 AND AUTHORIZING THE CITY MANAGER TO FILE THE APPLICATION, INCLUDING ALL UNDERSTANDINGS AND ASSURANCES CONTAINED THEREIN, WITH THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND DESIGNATING THE CITY MANAGER TO ACT IN CONNECTION WITH THE APPLICATION AND TO PROVIDE SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED.

WHEREAS on April 12, 1976, by Resolution No. 76-538 the City Council of the City of Modesto established a Housing Maintenance Program to work under the guidance and control of the Citizens Housing and Community Development Committee on community development activities, and to make appropriate recommendations to the City Council, and

WHEREAS, the Citizens Housing and Community Development Committee has held a series of public meetings and on February 11, 1983, held a public hearing on the components of the 1983-84 Community Development Block Grant application for supplemental funds provided by PL. 98-8, the "Emergency Jobs Bill" fund, and

WHEREAS, on April 27, 1983, the Citizens Housing and Community Development Committee approved the 1983-84 Community Development Block Grant Supplemental application and recommended it for approval to the City Council, and

WHEREAS, the City Council considered the 1983-84 Community Development Block Grant Supplemental application on June 21, 1983, and

WHEREAS, the City of Modesto has provided citizens with information concerning the amount of funds available for usage through the "Emergency Jobs Bill" fund and the range of activities that may be undertaken and other related information, and

WHEREAS, the City of Modesto has provided citizens an adequate opportunity to participate in the development of the application and in the development of any revisions, changes, or amendments, and

WHEREAS, the City Council has determined that the project will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said Council does hereby approve the 1983-84 Community Development Block Grant Program Supplemental application, for the fiscal year, from July 1, 1983 to June 30, 1984.

BE IT FURTHER RESOLVED that the City Council does hereby authorize the City Manager to file said application, including all understandings and assurances contained therein including the supplemental certifications with the U. S. Department of Housing and Urban Development and designates the City Manager to act in connection with said application and to provide such additional information as may be required.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-397

A RESOLUTION ADOPTING A SCHEDULE OF FEES AND CHARGES FOR WATER SERVICE IN THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 82-688.

WHEREAS, Sections 11-1.04, 11-1.05, 11-1.06, 11-1.09, and 11-1.14 of the Modesto Municipal Code, provide that a schedule of fees and charges to be charged to consumers for water services are to be established and set by the Council from time to time by resolution, and

WHEREAS, the Council of the City of Modesto desires to adopt such a schedule of fees and charges to be charged to consumers for water services in the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following schedule of fees and charges for water service to be charged to consumers for water services in the City of Modesto:

# SCHEDULE OF FEES AND CHARGES FOR WATER SERVICES

| Modesto Municipal Code Reference | Name of Fee or Charge and Itemization | Fee or Charge |
|---|---|---|
| 11-1.04 | Water service installation charges | |
| | 1" service | $ 525.00 |
| | 1-1/2" service | 535.00 |
| | 2" service | 590.00 |
| | Service larger than 2" | Cost |
| 11-1.04 | Additional Charge for each water service installation involving pavement removal and/or replacements. | 220.00 |
| 11-1.05(a) | Water main connection charges in territory within City for each square foot served. | .10 |
| 11-1.05(b) | Water main connection charges in territory outside the City for each square foot served. | .10 |
| 11-1.05(c) (4) | Fire hydrant installation, each | 1,210.00 |
| | Fire hydrant line to main per lineal foot | 33.00 |
| | Additional charge for each hydrant installation involving pavement removal and/or replacement. | 275.00 |
| 11-1.05(d) (3) | Inspection fee to determine portion of parcel to be served by a water main connection, fee per parcel. | 16.00 |
| 11-1.06 (e) | Meter installation cost | |
| | Each 1" meter | 170.00 |
| | Each 1" meter with traffic lid | 205.00 |
| | Each 1-1/2" meter | 365.00 |
| | Each 1-1/2" meter with traffic lid | 405.00 |
| | Each 2" meter | 425.00 |
| | Each 2" meter with traffic lid | 465.00 |
| | Each meter over 2" | Cost |
| 11-1.09 | Fire hydrant use service charge for each permit issued. | 22.00 |
| 11-1.14 (e) | Water bill delinquent charge. | 2.00 |
| 11-1.14 (e) | Water disconnection charge. | 6.00 |
| 11-1.14 (e) | Water reconnection charge. | 6.00 |

BE IT FURTHER RESOLVED that the above schedule of fees and charges shall be effective July 1, 1983, and shall remain in effect until revised by the City Council.

BE IT FURTHER RESOLVED that Resolution No. 82-688 is hereby rescinded, effective June 30, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-398

A RESOLUTION REJECTING ALL BIDS FOR THE INSTALLATION OF ELECTRICAL OUTLETS AT TUOLUMNE RIVER REGIONAL PARK

WHEREAS, Resolution No. 83-260, adopted by the Council of the City of Modesto on May 3, 1983, approved the plans and specifications for the installation of electrical outlets at Tuolumne River Regional Park, and authorized the call for bids; and

WHEREAS, the bids received for the installation of electrical outlets at Tuolumne River Regional Park were opened at 11:00 a.m. on May 24, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the low bid was 48% above the engineer's estimate and both Engineering and Parks and Recreation Departments recommend the contract bids be rejected and the work done as part of the next phase of improvements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the installation of electrical outlets at Tuolumne River Regional Park, and opened in the office of the City Clerk on May 24, 1983, at 11:00 a.m., are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-399

A RESOLUTION ACCEPTING THE BID OF LANG'S ENTERPRISES FOR THE INSTALLATION OF ALTERNATIVE METHANE FUEL PROGRAM - GAS PROCESSING SYSTEM

WHEREAS, Resolution No.83-336, adopted by the Council of the City of Modesto on May 24, 1983, approved the plans and specifications for the installation of alternative methane fuel program - gas processing system and authorized the calling for bids; and

WHEREAS, the bids received for the installation of alternative methane fuel program - gas processing system were opened at 11:00 a.m. on June 14, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Lang's Enterprises in the amount of $154,796 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lang's Enterprises in the amount of $154,796 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-400

A RESOLUTION ACCEPTING THE BID OF STANFIELD AND MOODY FOR THE CONSTRUCTION OF A SERVICE ROAD AT THE MODESTO CITY-COUNTY AIRPORT (ADAP NO. 6-06-0153-09)

WHEREAS, Resolution No. 83-280, adopted by the Council of the City of Modesto on May 10, 1983, approved the plans and specifications for the construction of a service road at the Modesto City-County Airport and authorized the calling for bids; and

WHEREAS, the bids received for the construction of a service road at the Modesto City-County Airport were opened at 11:00 a.m. on June 7, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Stanfield and Moody in the amount of $35,550 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Stanfield and Moody in the amount of $35,550 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-401

A RESOLUTION ACCEPTING THE BID OF WILLE ELECTRIC FOR FURNISHING ANNUAL REQUIREMENT OF DRY-CELL BATTERIES

WHEREAS, Resolution No. 83-302, adopted by the Council of the City of Modesto on May 17, 1983, approved the plans and specifications for the purchase of annual requirement of dry-cell batteries and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of dry-cell batteries were opened at 2:10 p.m. on June 7, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Wille Electric in the amount of $4,500 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Wille Electric in the amount of $4,500 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-402

A RESOLUTION ACCEPTING THE BID OF SAFE-T-LITE FOR ANNUAL REQUIREMENT OF STREET NAME SIGNS

WHEREAS, Resolution No. 83-282 adopted by the Council of the City of Modesto on May 10, 1983, approved the plans and specifications for the annual requirement of street name signs and authorized the calling for bids; and

WHEREAS, the bids received for the annual requirement of street name signs were opened at 2:10 p.m. on May 31, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Safe-T-Lite in the amount of $9,700 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Safe-T-Lite in the amount of $9,700 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-403

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE AN ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT APPLICATION UNDER THE JOBS ACT PROGRAM TO FINANCE EXPANSION OF THE DOWNTOWN MULTI-LEVEL PARKING FACILITY.

WHEREAS, the Economic Development Administration (EDA) has grant funds available under the Supplemental Appropriation for Economic Development Assistance Programs portion of the Emergency Jobs Act, and

WHEREAS, the City of Modesto has been notified by the EDA that it is eligible to make a grant application for its proposed project to expand the Downtown Multi-level Parking Facility, and

WHEREAS, the City of Modesto desires to submit an application to the Department of Commerce, Economic Development Administration for $750,000 in grant funding for expansion of the Downtown Multi-level Parking Facility,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the submission of a grant application in the amount of $750,000 to the Economic Development Administration (EDA) under the Jobs Act Program to finance expansion of the Downtown Multi-level Parking Facility.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the execution of the grant application and all other related documents by the City's designated official, Garth Lipsky, City Manager.

BE IT FURTHER RESOLVED that the City Council requests the Stanislaus County Board of Supervisors to support this application for grant funds to finance expansion of the Downtown Multi-level Parking Facility.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-404

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GENERAL REINSURANCE CORPORATION FOR WORKERS' COMPENSATION EXCESS INSURANCE FOR 1983-84

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** General Reinsurance Corporation for Workers' Compensation excess insurance for 1983-84

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 21st **day of** June, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-405

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO APPROVING AN APPLICATION FOR FUNDS FOR PARK RESTORATION AND URBAN REFORESTATION.

WHEREAS, funds are available from the Small Business Administration for local public agencies for park restoration and urban reforestation projects, and

WHEREAS, in California said funds are administered by the California Conservation Corps and the California Department of Forestry, and

WHEREAS, the City of Modesto desires to make application for funds, under said program, for clean up and reforestation along the Dry Creek waterway,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the filing of an application for funding from the Small Business Administration through the California Conservation Corps and the California Department of Forestry for clean up and reforestation along the Dry Creek waterway.

BE IT FURTHER RESOLVED that the City Manager is appointed as the agent of the City of Modesto to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, payment requests, etc. which may be necessary for the completion of the above-referred to project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and

the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-406

AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** MARK RICHARDS, RULE ENTERPRISES, INC., JIM VAN HEUKELEM AND LOET VAN DER LINDEN AND ASSOCIATES, DBA SKYTREK AVIATION, FOR THE LEASE OF THE FORMER GOTTSCHALK FLIGHT CENTER FIXED BASE OPERATION

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Mark Richards, Rule Enterprises, Inc., Jim Van Heukelem and Loet Van Der Linden and Associates, dba Skytrek Aviation, for the lease of the former Gottschalk Flight Center fixed base operation

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 21st **day of** June, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-407

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** CROSBY, THORNTON, MARSHALL, BOOKER, LAWLOR, ARCHITECTS, TO PROVIDE ARCHITECTURAL SERVICES FOR THE EXPANSION OF THE MODESTO CITY-COUNTY AIRPORT TERMINAL BUILDING

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Crosby, Thornton, Marshall, Booker, Lawlor, Architects, to provide architectural services for the expansion of the Modesto City-County Airport terminal building

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 21st **day of** June, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-408

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** LENA CAPOBIANCO FOR THE ACQUISITION OF 1,610± SQUARE FEET OF HER PROPERTY NEEDED FOR A BICYCLE PATH

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Lena Capobianco for the acquisition of 1,610± square feet of her property needed for a bicycle path

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 21st **day of** June, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-409

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON THE FILING OF A FEDERAL TRANSIT OPERATING ASSISTANCE GRANT APPLICATION FOR THE 1983-84 FISCAL YEAR

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** July 26, 1983 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** filing a Federal Transit Operating Assistance Grant application for the 1983-84 fiscal year.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 21st **day of** June **, 19** 83 **, by Councilmember** Bright **, who moved its adoption, which motion being duly seconded by Councilmember** Muratore **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-410

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** DON L. THIEL FOR THE LEASE OF 618 10TH STREET ACQUIRED FOR POLICE FACILITIES EXPANSION

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Don L. Thiel for the lease of 618 10th Street acquired for the Police facilities expansion

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 21st **day of** June, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-411

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** LARRY SMITH DBA LARRY SMITH AUTO SALES FOR THE LEASE OF THE CITY-OWNED PROPERTY AT 1130 10TH STREET

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Larry Smith dba Larry Smith Auto Sales for the lease of the City-owned property at 1130 10th Street

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 21st **day of** June, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-412

A RESOLUTION ACCEPTING IMPROVEMENTS IN VALENCIA PLAZA NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Joaquin Construction , subdividers of Valencia Plaza No. 3 Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 301,700.00 and $ 150,850.00 respectively to guarantee improvements in Valencia Plaza No. 3 Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated June 20, 1983 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Valencia Plaza No. 3 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $ 301,700.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $ 150,850,00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June , 19 83 by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-413

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** BURROUGHS CORPORATION FOR PROVIDING MAINTENANCE SERVICE ON THE DATA PROCESSING SYSTEM LOCATED IN THE FINANCE DEPARTMENT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Burroughs Corporation for providing maintenance service on the data processing system located in the Finance Department

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 21st **day of** June, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-414

A RESOLUTION ESTABLISHING AN ADVANCE DEPOSIT FOR WATER SERVICE.

WHEREAS, Section 11-1.13 of the Modesto Municipal Code provides that an advance deposit shall be required for each water service, and

WHEREAS, Section 11-1.13 of the Modesto Municipal Code further provides that the City Council may establish from time to time by resolution advance water deposits,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto, in accordance with the authority contained in Section 11-1.13 of the Modesto Municipal Code, hereby establishes an advance water deposit of thirty and no/100ths ($30.00) Dollars for water service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

RESCINDED
1992-252
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-415

A RESOLUTION ESTABLISHING AN ADVANCE DEPOSIT FOR SEWER SERVICE

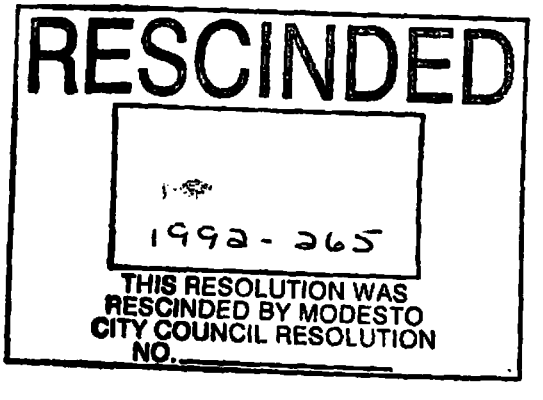
WHEREAS, Section 5-6.02.1 of the Modesto Municipal Code provides that an advance sewer deposit shall be required for each premise where the City does not provide water, and

WHEREAS, Section 5-6.02.1 of the Modesto Municipal Code further provides that the Council may establish from time to time by resolution advance sewer deposits,

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Modesto, in accordance with the authority contained in Section 5-6.02.1 of the Modesto Municipal Code, hereby establishes an advance sewer deposit of twenty and no/100ths ($20.00) Dollars.

BE IT FURTHER RESOLVED that this resolution shall become effective on the effective date of Ordinance No. 2196-C.S., which was introduced by the City Council on June 21, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly



seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-416

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MODESTO AND THE MODESTO CITY FIRE FIGHTERS ASSOCIATION FOR THE FISCAL YEAR COMMENCING JULY 1, 1983, AND ENDING JUNE 30, 1984

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Memorandum of Understanding between the City of Modesto and the Modesto City Fire Fighters Association covering the fiscal year commencing July 1, 1983, and ending June 30, 1984, be and it is hereby approved.

BE IT FURTHER RESOLVED that the implementation of said Memorandum of Understanding by the designated City officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-417

A RESOLUTION APPROVING AN ADDITION TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MODESTO AND THE MODESTO CITY EMPLOYEES ASSOCIATION FOR THE FISCAL YEAR COMMENCING JULY 1, 1983, AND ENDING JUNE 30, 1984

WHEREAS, a Memorandum of Understanding between the City of Modesto and the Modesto City Employees Association for fiscal year commencing July 1, 1983, and ending June 30, 1984, was adopted by Council on June 7, 1983, by Resolution No. 83-368; and

WHEREAS,one provision that was to be included in the Memorandum of Understanding, but was inadvertently left out, was the increase in the maximum number of days the City Manager can suspend an employee.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the addition to the Memorandum of Understanding between the City of Modesto and the Modesto City Employees Association covering fiscal year commencing July 1, 1983, and ending June 30, 1984, be and it is hereby approved.

BE IT FURTHER RESOLVED that the implementation of said addition to the Memorandum of Understanding by the designated City officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 418

A RESOLUTION AUTHORIZING THE PAYMENT BY THE CITY OF MODESTO OF PORTIONS OF SOME EMPLOYEES' CONTRIBUTIONS TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

WHEREAS, the City of Modesto has a contract with the State of California Public Employees' Retirement System (hereinafter referred to as "PERS") to provide a retirement system for the employees of the City of Modesto, and

WHEREAS, pursuant to the City's contract with PERS, the City makes bi-weekly contributions to PERS for each employee who is a member of PERS, and

WHEREAS, in addition to the City's contribution to PERS, each employee of the City who is a member of PERS makes a bi-weekly contribution to PERS, and

WHEREAS, the City is desirous of paying certain portions of the employees' bi-weekly contributions to PERS of some of the Management and Confidential employees of the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. Effective June 28, 1983, the City of Modesto will pay, for the Chief of Police of the City of Modesto, 14.418% of said employee's employee contribution to PERS. Said payments shall be made in the employee's name.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being

duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-419

A RESOLUTION ESTABLISHING PROCEDURE FOR PAYMENT OF UNIFORM MAINTENANCE ALLOWANCE FOR FIRE DEPARTMENT PERSONNEL

WHEREAS, it is in the City's interest to provide separately from regular salary a reasonable reimbursement for the maintenance of uniforms required in the Fire Department,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. UNIFORM MAINTENANCE ALLOWANCE. Chief fire officers and sworn fire personnel required to wear dress uniform because of duty assignment shall be paid Twenty-six and no/100ths ($26.00) Dollars per calendar month of service, as a uniform maintenance allowance; other sworn fire personnel shall be paid Twenty-two and no/100ths ($22.00) Dollars per calendar month of service, as a uniform maintenance allowance, to be paid quarterly at the end of March, June, September and December each year.

No uniform maintenance allowance shall be paid to Fire Department personnel during the first six (6) months of city service, but said allowance shall be withheld and shall accrue to the benefit of said employee to be paid at the end of the second regular full quarter, provided, however, that no payment shall be made to Fire Department personnel who terminate employment prior to or at the end of the first six (6) months of service.

For the purpose of computing the above allowance, one-half (1/2) or less of a month shall not be counted.

SECTION 2. The Fire Chief shall submit a signed report to the Director of Finance at the end of each calendar quarter showing, by the month, the names of department personnel eligible to receive the uniform maintenance allowance.

SECTION 3. Uniform maintenance allowance shall not accrue to persons not specifically included in this resolution.

SECTION 4. The City Manager is authorized to establish rules for the equitable administration of this uniform maintenance allowance.

SECTION 5. This resolution shall become effective on and after July 1, 1983.

SECTION 6. Resolution No. 82-486, adopted on June 22, 1982, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-420

A RESOLUTION ESTABLISHING PROCEDURE FOR PAYMENT OF UNIFORM ALLOWANCE FOR POLICE DEPARTMENT PERSONNEL

WHEREAS, it is in the City's interest to provide separately from regular salary a reasonable reimbursement for the maintenance of uniforms required in the Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. UNIFORM ALLOWANCE FOR SWORN POLICE PERSONNEL, ANIMAL CONTROL OFFICERS AND COMMUNITY SERVICE OFFICERS. (a) Sworn police personnel shall be paid Thirty-seven and 50/100ths ($37.50) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in subparagraph (d) of this section.

(b) Animal Control Officers shall be paid Twelve and no/100ths ($12.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in subparagraph (d) of this section.

(c) Community Service Officers shall be paid Thirty-two and 50/100ths ($32.50) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in subparagraph (d) of this section.

(d) The uniform allowances authorized by this section shall be paid quarterly at the end of March, June, September and December of each year. No uniform allowance shall be paid to personnel during the first six (6) months of city service, but said allowance shall be withheld and shall accrue to the benefit of said employee to be paid at the end of the second

regular full quarter, provided, however, that no payment shall be made to personnel who terminate employment prior to or at the end of the first six (6) months of service. For the purpose of computing the above allowances, one-half (1/2) or less of a month shall not be counted.

SECTION 2. UNIFORM ALLOWANCES FOR NONSWORN OFFICE PERSONNEL.

(a) Nonsworn office personnel in the Police Department who are authorized by the Chief of Police to wear a uniform and who wear an approved uniform shall be paid Twelve and no/100ths ($12.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in subparagraph (b) of this section.

(b) The uniform allowances authorized by this section shall be paid quarterly at the end of March, June, September and December of each year.

(c) Employees hired on or after July 1, 1983, shall be paid Seventy-two and no/100ths ($72.00) Dollars on or about the thirtieth day after they are hired and shall be paid Twelve and no/100ths ($12.00) Dollars per month, commencing with their eighth month of employment, payable quarterly at the end of March, June, September and December of each year.

SECTION 3. The Chief of Police shall submit signed reports to the Director of Finance showing the names of department personnel eligible to receive the uniform allowances authorized by this resolution.

SECTION 4. The uniform allowances authorized by this resolution shall not accrue to persons not specifically included in this resolution.

SECTION 5. The City Manager is authorized to establish rules for the equitable administration of the uniform allowances authorized by this resolution.

SECTION 6. This resolution shall be effective July 1, 1983.

SECTION 7. Resolution No. 82-485 adopted on June 22, 1982, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-421

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH VISION SERVICE PLAN FOR VISION CARE.

WHEREAS, the Council desires to provide vision care insurance coverage to all Management and Confidential employees and their dependents, and

WHEREAS, Vision Service Plan provides such coverage,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City Manager to make application for and to sign a contract with Vision Service Plan for vision care for Management and Confidential employees of the City of Modesto and their dependents,

BE IT FURTHER RESOLVED that said plan is to become effective on or after June 28, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-422

A RESOLUTION AMENDING AND RESTATING THE MANDATORY DEFERRED COMPENSATION PLAN FOR CERTAIN EMPLOYEES OF THE CITY OF MODESTO, AND SUPERSEDING RESOLUTION NO. 83-209.

WHEREAS, this Council by Resolution No. 83-209, adopted on April 12, 1983, amended and restated the Mandatory Deferred Compensation Plan for certain employees of the City of Modesto, and

WHEREAS, the Council desires to amend the Mandatory Deferred Compensation Plan and to restate the Plan in full, as amended hereby,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto's Mandatory Deferred Compensation Plan for certain employees of the City of Modesto is hereby amended and restated in its entirety as follows:

SECTION 1. There is hereby established a Mandatory Deferred Compensation Plan (herein referred to as the "Plan") for the hereinafter designated employees of the City of Modesto. Except as otherwise provided herein, said Plan shall be operative effective July 4, 1978.

SECTION 2. Effective July 4, 1978, all employees of the City of Modesto who hold salaried positions of employment, except sworn fire and police officers, shall have 2% of their gross regular salary each pay period deferred until said employee retires or otherwise terminates employment with the City of Modesto. In addition thereto, the City of Modesto shall pay into said Mandatory Deferred Compensation Plan, each pay period for each such employee, an amount equal to 1% of each such employee's gross regular salary. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

SECTION 3. Effective June 30, 1981, the City of Modesto shall also pay into said Mandatory Deferred Compensation Plan each pay period:

A. For each employee of the City of Modesto who holds a salaried position of employment in the classifications of Police Officer and Detective and who does not subscribe for health insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the amount paid by the City of Modesto toward the cost of health insurance coverage for dependents for the employees in said classifications of Police Officer and Detective who subscribe for health insurance coverage for dependents for which the City pays the premiums. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

B. For each employee of the City of Modesto who holds a salaried position of employment, except employees in the classifications of Fire Fighter, Fire Engineer, Fire Lieutenant, Police Officer, Detective, and those employees in classifications and positions designated as Management and Confidential, and who subscribes for employee health and dental insurance coverage under the City's group health and dental insurance plans, and who does not subscribe under said plans for health and dental insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the amount paid by the City of Modesto for health and dental insurance coverage for dependents for the employees in the classifications covered by this Paragraph B who subscribe for health and dental insurance coverage for dependents under the City's group health and dental insurance plans. Provided, however, that no such employee shall be eligible to receive said amount paid

into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

C. For each employee of the City of Modesto who holds a salaried position of employment, except employees in the classifications of Fire Fighter, Fire Engineer, Fire Lieutenant, Police Officer, Detective, and those employees in classifications and positions designated as Management and Confidential, and who subscribes for employees health and dental insurance coverage under the Operating Engineers Union Local No. 3 group health and dental insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the total amount the City pays for health and dental insurance for an employee and the employee's dependents under the City's group health and dental insurance plans less the cost of health and dental insurance for an employee only under the Operating Engineers Union Local No. 3 group health and dental insurance plan for which the City pays the premium. Provided however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

D. For each employee of the City of Modesto who holds a salaried position of employment in a classification or position designated as Management or Confidential, except Fire Battalion Chief, and who does not subscribe for health and dental insurance coverage for said employee's dependents under the City's group health and dental insurance plans, an amount equal to the amount paid by the City of Modesto for health and dental insurance coverage for dependents for the employees in said classifications and positions who subscribe for health and dental insurance coverage for dependents under the City's group health and dental insurance plans. Provided, however, that no

such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

E. For each employee of the City of Modesto who holds a salaried position of employment in the classification of Fire Battalion Chief, and who does not subscribe for health and dental insurance coverage for said employee's dependents under the City's group health and dental insurance plans, an amount equal to the amount paid by the City of Modesto for dental insurance coverage for dependents for the employees in said classification of Fire Battalion Chief who subscribe for dental insurance coverage for dependents under the City's group dental insurance plan. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

SECTION 4. Effective on June 28, 1983, or the effective date of the City of Modesto's vision care insurance plan, whichever is the later date, the City of Modesto shall also pay into said Mandatory Deferred Compensation Plan each pay period:

For each employee of the City of Modesto who holds a salaried position of employment in a classification or position designated as Management or Confidential and who does not subscribe for vision care insurance coverage for said employee's dependents under the City's group vision care insurance plan, an amount equal to the amount paid by the City of Modesto for vision care coverage for dependents for the employees in said classifications and positions who subscribe for vision care coverage for dependents under the City's group vision care insurance plan. Provided, however, that no such employee shall be eligible to receive said amount paid into the plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

SECTION 5. Except as provided in Section 5 hereof, the maximum permitted deferral of includable compensation in any one taxable year for any employee shall not exceed the lesser of (a) $7,500, or (b) 33 1/3% of the employee's includable compensation as that term is defined by the Internal Revenue Service Regulations governing deferred compensation plans.

SECTION 6. During the last three taxable years before the employee reaches the following applicable age:

| | | |
|---|---|---|
| A. | All Fire Department employees with safety membership in the Public Employee's Retirement System | - age 50 |
| B. | All Police Department employees with safety membership in the Public Employee's Retirement System | - age 55 until June 30, 1986<br>- age 50 after July 1, 1986 |
| C. | All other employees | - age 60 |

or at the employee's option in any three taxable years thereafter, the maximum permitted deferral of includable compensation in any one taxable year shall be the lesser of (a) $15,000 or (b) the sum of $7,500 and so much of the maximum permitted deferral established for taxable years before the three taxable years as has not been previously deferred. The years in which this provision is to apply shall be designated in advance by a written request from the employee to the Director of Finance.

SECTION 7. Each employee covered by the Plan shall be deemed to have agreed to each of the provisions hereof, and specifically to the deferral of salary as provided by the Plan. Deferral of salary for employees hired subsequent to the adoption of this Plan shall begin immediately upon hire of said employees.

SECTION 8. There is hereby established a Mandatory Deferred Compensation Committee to administer the Plan established hereby. The Committee shall consist of three persons to be appointed by and serve at the pleasure of the City Manager, one of whom shall be appointed by the City Manager to be its Chairman. The Committee shall have such powers and duties as may be given to it by this resolution, or as may be necessary in order to carry out the provisions of agreements with depositaries entered into from time to time. It shall also have such further powers and duties as may be delegated to it from time to time by the City Council.

Persons who are currently members of the Mandatory Deferred Compensation Committee as established by Resolution No. 78-915, shall continue in office, and shall serve at the pleasure of the City Manager as though appointed pursuant to this section.

SECTION 9. The Committee is hereby authorized and empowered to make such determinations regarding investment of money, and payment and distribution of funds to an employee covered by the Plan as may be necessary in order to carry out the provisions of the Plan established hereby.

SECTION 10. All funds and assets held in or credited to the Mandatory Deferred Compensation Plan for the benefit of an employee shall be paid and distributed as herein provided to the employee, or the employee's beneficiary, as the case may be.

A. Distribution upon retirement or disability of employee or other termination of employment. In the event an employee retires from the City or becomes permanently disabled from continuing full time employment with the City, the City will distribute to such employee the funds and assets of the Plan which have been deferred for his or her benefit in a lump sum or in equal monthly, quarterly or annual installments over a period of years not to be in excess of the employee's life expectancy.

B. Distribution upon death of employee. In the event of the death of an employee, the City will distribute to the employee's beneficiary the funds and assets of the Plan which have been deferred for his or her benefit in a lump sum or in equal monthly, quarterly or annual installments over a period of years not to be in excess of the beneficiary's life expectancy. In the event of the death of the beneficiary while receiving installment payments, any remaining balance in the employee's Mandatory Deferred Compensation account shall be deemed to be the property of the beneficiary at the time of the beneficiary's death, and shall be distributed to the persons legally entitled thereto.

C. Distribution prior to one year of employment. In the event that any employee becomes entitled to the distribution of the amounts deferred for his or her benefit prior to one year of employment with the City of Modesto, distribution of the amounts deferred from the employee's gross regular salary shall be made as provided in this section; however, no distribution shall be made to the employee or his beneficiary of the amounts paid into the Plan by the City of Modesto. In such event, such amounts shall be returned to the appropriate fund of the City of Modesto.

SECTION 11. The City Manager is hereby authorized and directed from time to time to execute, on behalf of the City of Modesto, Custodial Agreements for the City of Modesto's Mandatory Deferred Compensation Plan with depositories as approved from time to time by the City Council.

SECTION 12. Except as otherwise herein provided, all prior actions and agreements of the City of Modesto relating to the Mandatory Deferred Compensation Plan are hereby ratified and are continued in full force and effect.

BE IT FURTHER RESOLVED that Resolution No. 83-209, adopted April 12, 1983, is superseded by this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-423

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CITY OF MODESTO LONG TERM DISABILITY INSURANCE PLAN.

WHEREAS, the City of Modesto has an existing long term disability insurance plan for certain of its employees, and

WHEREAS, the Council desires to amend said plan to provide that there will be a 60 day waiting period, as currently provided, before coverage begins, but once coverage commences, if a disability lasts more than 90 days, disability payments will be retroactive to the 31st day,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City Manager to sign an amendment to the agreement with Standard Insurance Company to amend the City of Modesto's existing long term disability insurance plan to provide that there will be a 60 day waiting period as currently provided, before coverage begins, but once coverage commences, if a disability lasts more than 90 days, disability payments will be retroactive to the 31st day.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-424

A RESOLUTION AMENDING SECTION 10.2 OF THE PERSONNEL RULES RELATING TO SUSPENSION.

WHEREAS, Section 1202 of Article XII of the Charter of the City of Modesto provides that the personnel system provided by said Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the City Council upon recommendation of the City Manager, and

WHEREAS, the City Council has adopted Personnel Rules as authorized by the City Charter, and

WHEREAS, the City Manager has recommended an amendment to Section 10.2 of the Personnel Rules relating to suspension, and

WHEREAS, the City Council finds that said proposed amendment as recommended by the City Manager promotes the purposes and objectives of the Personnel System,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 10.2 of the Personnel Rules be amended to read as follows:

10.2 Suspension

The appointing authority may suspend an employee without pay at any time for cause. Suspension without pay may not exceed ninety days in any fiscal year. Suspension for over five working days must be approved by the appointing authority. A department head may suspend an employee for a maximum of five working days. Suspensions shall be reported immediately to the appointing authority and to the Personnel Office.

BE IT FURTHER RESOLVED that this resolution shall become effective on the effective date of Ordinance No. 2197-C.S., which was introduced by the City Council on June 21, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-425

A RESOLUTION AMENDING SECTION 13.5 OF THE PERSONNEL RULES RELATING TO SICK LEAVE.

WHEREAS, Section 1202 of Article XII of the Charter of the City of Modesto provides that the personnel system provided by said Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the City Council upon recommendation of the City Manager, and

WHEREAS, the City Council has adopted Personnel Rules as authorized by the City Charter, and

WHEREAS, the City Manager has recommended an amendment to Section 13.5 of the Personnel Rules relating to sick leave, and

WHEREAS, the City Council finds that said proposed amendment as recommended by the City Manager promotes the purposes and objectives of the Personnel System,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 13.5 of the Personnel Rules be amended to read as follows:

13.5 Sick Leave

(a) After completing three (3) months of continuous service, all employees except fire department personnel working an average minimum of fifty-six hours a week, shall be entitled to paid sick leave at the rate of one working day for each completed calendar month of service counted from the original appointment. All fire department personnel working an average minimum of fifty-six (56) hours a week shall be entitled to paid sick leave at the rate of twelve (12) hours for each completed calendar month of service, counted from the original appointment.

(b) All employees except police officers and detectives employed on or after July 1, 1979 and fire department personnel working an average minimum of fifty-six (56) hours a week may accrue unused sick leave time not to exceed two thousand (2000) hours. Police officers and

detectives employed on or after July 1, 1979 may accrue unused sick leave time not to exceed one thousand (1000) hours. All fire department personnel working an average minimum of fifty-six (56) hours a week may accrue unused sick leave time not to exceed three thousand (3000) hours.

(c) Sick leave shall be considered a privilege to be allowed only in case of sickness, disability, or quarantine. Sick leave credit shall not continue to accrue to an employee absent from duty on any leave other than vacation leave, bereavement leave, jury duty, management-confidential leave, or temporary military leave. Paid sick leave shall not be given for any absence from duty due to an injury or illness arising out of or incurred in connection with outside employment. In order to receive sick leave pay, an employee must notify his/her supervisor or the Personnel Office not later than four (4) hours after the start of his/her work day. The employee may be required to file a physician's certificate with the Director of Personnel stating the cause of the absence.

(d) Leave for disability covered by workers' compensation shall be charged against the employee's accrued sick leave, and the employee shall receive full pay to the extent of his/her sick leave credit. Compensation insurance checks shall be endorsed to the City while full salary is paid. When sick leave is exhausted, the employee shall receive the compensation insurance check. Sick leave shall be charged at a rate proportional to the City's actual contribution to the full salary. This provision shall be modified for police and fire personnel to the extent necessary to conform to the provisions of Section 4850 of the State Labor Code. An employee whose sick leave has expired because of an on-the-job injury may be granted additional sick leave upon recommendation of the City Manager and approval of the City Council.

(e) Employees terminating their City employment or being terminated shall forfeit all unused sick leave benefits as of the termination date, except that:

(1) All employees in the classification of Fire Fighter Trainee, Fire Fighter, Fire Engineer, and Fire Lieutenant, who retire on or after July 1, 1982, through the Public Employees' Retirement System after a minimum of five (5) years of continuous employment with the City of Modesto, shall be paid at the time of retirement for twenty-five per cent (25%) of the first fifteen hundred (1500) hours of unused sick leave benefit.

(2) All employees in the classifications of Police Officer and Detective who retire on or after July 1, 1979 through the Public Employees' Retirement System, or terminate employment in good standing with the City of Modesto after five (5) years of continuous employment, shall be paid at the time of retirement

or termination for twenty-five per cent (25%) of the first one thousand (1000) hours and twenty per cent (20%) of the second one thousand (1000) hours of unused sick leave benefit.

(3) All employees in positions and classifications designated as management and confidential and who retire through the Public Employees' Retirement System, or terminate employment in good standing with the City of Modesto after five (5) years of continuous employment, shall be paid at the time of retirement or termination for twenty-five per cent (25%) of unused sick leave benefit. All employees who retire on or after July 1, 1983, may, at the option of each such employee, elect to have the twenty-five percent (25%) of sick leave to be paid for at the time of retirement applied by the City of Modesto to premiums for health insurance coverage under the City's health insurance plan for health insurance coverage after the employee's retirement; provided that the employee was enrolled as a member of the City's health insurance plan at least twelve (12) months prior to the effective date of the employee's retirement.

(4) All employees except those covered in subparagraphs (1), (2) and (3) above, who were hired on or before June 30, 1982, and who retire through the Public Employees' Retirement System, or terminate employment in good standing with the City of Modesto after five (5) years of continuous employment shall be paid at the time of retirement or termination for twenty-five per cent (25%) of unused sick leave benefit. All employees who retire on or after July 1, 1983, may, at the option of each such employee, elect to have the twenty-five percent (25%) of sick leave to be paid for at the time of retirement applied by the City of Modesto to premiums for health insurance coverage under the City's health insurance plan for health insurance coverage after the employee's retirement; provided that the employee was enrolled as a member of the City's health insurance plan at least twelve (12) months prior to the effective date of the employee's retirement.

(5) All employees except those covered in subparagraphs (1), (2) and (3) above, who are hired on or after July 1, 1982, who retire through the Public Employees' Retirement system or terminate employment in good standing with the City of Modesto after five (5) years of continuous employment shall be paid at the time of retirement or termination for twenty-five percent (25%) of the first one thousand (1000) hours of unused sick leave benefit. All employees who retire on or after July 1, 1983, may, at the option of each such employee, elect to have the twenty-five percent (25%) of sick leave to be paid for at the time of retirement applied by the City of Modesto to premiums for health insurance coverage under the City's health

insurance plan for health insurance coverage after the employee's retirement; provided that the employee was enrolled as a member of the City's health insurance plan at least twelve (12) months prior to the effective date of the employee's retirement.

(f) Former employees re-employed by the City shall receive no credit for prior service in determination of sick leave or vacation benefits.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney



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MODESTO CITY COUNCIL
RESOLUTION NO. 83-426

A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. SALARY RANGES AND RATES EFFECTIVE JUNE 28, 1983 TO OCTOBER 3, 1983. The salary rates, salary ranges and salary steps as set forth in Exhibit "A-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule A-1 Miscellaneous Employees", Exhibit "B-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule B-1 Firefighters", Exhibit "C-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule C-1 Police Personnel", Exhibit "D-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule D-1 Classified Management and Confidential Employees", Exhibit "E-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - Unclassified Management and Council Appointees", and Exhibit "F-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - 'Y' Rates", which are attached hereto and hereby made a part hereof, are hereby established, effective June 28, 1983, to and including October 3, 1983.

SECTION 2. SALARY RANGES AND RATES EFFECTIVE OCTOBER 4, 1983, TO JUNE 25, 1984. The salary rates, salary ranges and salary steps as set forth in Exhibit "A-2" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule A-2 Miscellaneous Employees", Exhibit "B-2" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule B-2 Firefighters", Exhibit "C-2" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule C-2 Police Personnel", Exhibit "D-2" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule D-2 Classified

Management and Confidential Employees", Exhibit "E-2" entitled "City of Modesto Schedule of Salary Ranges in City Service - Unclassified Management and Council Appointees", and Exhibit "F-2" entitled "City of Modesto Schedule of Salary Ranges in City Service - 'Y' Rates", which are attached hereto and hereby made a part hereof are hereby established effective October 4, 1983, to and including June 25, 1984.

SECTION 3. SALARIES FOR CLASSES OF POSITIONS. The salary ranges and rates for the classes of positions established by the Position Classification Plan, as set forth in Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1983-84" which is attached hereto and hereby made a part hereof, are hereby established.

SECTION 4. USE OF CLASSES. The designated classes of positions may be used in any organizational unit of the City deemed proper by the City Manager.

SECTION 5. POSITIONS. The City Council authorizes and directs the City Manager, within the limits of funds budgeted therefor, to appoint employees in such number and in such classes in each department as may be necessary properly to operate the department under the Charter, ordinances and resolutions adopted by the City Council, including creating additional positions to replace employees who are on disability leave or other leaves of absence.

SECTION 6. APPOINTMENTS AND SALARIES. The City Manager is hereby authorized to appoint, in accordance with the applicable provisions of the Modesto Municipal Code and Personnel Rules and within the limits of funds budgeted therefor, any person to a position in a class for which he is the appointing authority and for which the salary is hereby provided, to designate the definite salary rate or salary step at which such person is appointed, and the salary so designated is hereby fixed as the salary of such employee for the position.

SECTION 7. SPECIAL SALARY RATES. The City Manager is further authorized, subject to budgetary appropriation control by the City Council, to fix the salary range or rate for part-time or special positions in the Unclassified Service for which he is the appointing authority and which are not designated herein.

SECTION 8. DIFFERENTIAL PAY - MISCELLANEOUS. An employee who is assigned to one of the positions enumerated below shall be paid, in addition to the salary fixed and established for the class title and pay range to which the employee's position has been allocated, additional compensation at the rate of five (5%) percent of the compensation which the employee would otherwise be entitled to receive. Such additional compensation shall not be paid to any person employed on a temporary or part-time (hourly or per diem pay) basis.

1. Motor Sweeper Operator - who is regularly assigned as a night sweeper operator.

2. Maintenance Worker I or II - who is regularly assigned to water street trees at night.

3. Maintenance Worker I - who is regularly assigned as a night hand sweeper.

4. Police Clerk - who is regularly assigned to work on either the swing or graveyard shift.

5. Receptionist - who is regularly assigned to work on the swing shift.

SECTION 9. DIFFERENTIAL PAY - FIRE PREVENTION BUREAU. A sworn safety member of the Fire Department assigned to the Fire Department's Fire Prevention Bureau shall be paid, in addition to the salary fixed and established for the class title and pay range to which the employee's position has been

allocated, the following additional compensation based on time spent in the Fire Prevention Bureau and determined as a percent of the compensation which the employee would otherwise be entitled to receive:

| Time Spent in Fire Prevention Bureau | Additional Pay to be Received |
|---|---|
| 0 - 12 months | 0% |
| 13 - 24 months | 2 1/2% |
| 25 months and therafter | 5% |

SECTION 10. DIFFERENTIAL PAY - FIRE BATTALION CHIEF. A Fire Battalion Chief assigned by the Fire Chief as either Operations Commander or Fire Marshall may be paid, upon recommendation of the Fire Chief and approval of the City Manager, in addition to the salary fixed and established for the classification of Fire Battalion Chief, additional compensation of up to ten (10%) percent of the compensation which the employee would otherwise be entitled to receive.

SECTION 11. ACTING PAY - POLICE DEPARTMENT. A Detective who is temporarily assigned to act as a Sergeant for five (5) or more regularly scheduled, consecutive work days will be paid five (5%) percent acting pay above the Detective's normal base pay retroactive to the first day. Holidays and regularly scheduled days off will not interrupt the calculation of consecutive work days.

SECTION 12. DIFFERENTIAL PAY - ASSISTANT SQUAD LEADERS. A Police Officer who is assigned by the Chief of Police as an Assistant Squad Leader shall be paid, in addition to the salary fixed and established for the classification of Police Officer, additional compensation of five (5%) percent of the compensation which the officer would otherwise be entitled to receive.

SECTION 13. ACTING PAY - MISCELLANEOUS EMPLOYEES. An employee represented by the Modesto City Employees' Association who is temporarily assigned by a Personnel Action form to fill another position for more than 120

consecutive regularly scheduled work hours will be paid five (5%) percent additional compensation above the employee's normal base pay retroactive to the first hour of such assignment. Holidays and regularly scheduled hours and days off will not interrupt the calculation of consecutive work hours.

SECTION 14. ACTING PAY - FIRE DEPARTMENT. A fire suppression employee in the Fire Department represented by the Modesto City Firefighters Association who is assigned to work temporarily in a position in a salary range above that to which the employee is regularly assigned and who is entitled to acting pay in accordance with the Personnel Administrative Orders of the City of Modesto, will be paid five (5%) percent additional compensation above the employee's normal base pay commencing with the beginning of the thirteenth (13th) consecutive hour of the overgrade assignment, retroactive to the beginning of the third (3rd) hour.

SECTION 15. PART-TIME EMPLOYMENT. Employees appointed to any of the positions referred to herein who, with the approval of the City Manager, regularly work less hours per week than established for their class by Rule 13.1 of the Personnel Rules, shall be paid in approximate proportion of the time worked.

SECTION 16. EFFECTIVE DATE. This resolution shall become effective on and after June 28, 1983.

SECTION 17. REPEALS. Resolutions No. 82-488, 82-684, 82-918, 83-66, 83-132 and 83-190 are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

SCHEDULE A-1
MISCELLANEOUS
EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
EFFECTIVE 6/28/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 105.5 | 4.0840 | 4.2882 | 4.5026 | 4.7277 | 4.9641 | 326.72 | 343.06 | 360.21 | 378.22 | 397.13 | 710.32 | 745.85 | 783.13 | 822.29 | 863.40 |
| 106.0 | 4.1836 | 4.3928 | 4.6124 | 4.8430 | 5.0852 | 334.69 | 351.42 | 368.99 | 387.44 | 406.82 | 727.65 | 764.02 | 802.22 | 842.33 | 884.47 |
| 106.5 | 4.2882 | 4.5026 | 4.7277 | 4.9641 | 5.2123 | 343.06 | 360.21 | 378.22 | 397.13 | 416.98 | 745.85 | 783.13 | 822.29 | 863.40 | 906.56 |
| 107.0 | 4.3928 | 4.6124 | 4.8430 | 5.0852 | 5.3395 | 351.42 | 368.99 | 387.44 | 406.82 | 427.16 | 764.02 | 802.22 | 842.33 | 884.47 | 928.69 |
| 107.5 | 4.5026 | 4.7277 | 4.9641 | 5.2123 | 5.4729 | 360.21 | 378.22 | 397.13 | 416.98 | 437.83 | 783.13 | 822.29 | 863.40 | 906.56 | 951.89 |
| 108.0 | 4.6124 | 4.8430 | 5.0852 | 5.3395 | 5.6065 | 368.99 | 387.44 | 406.82 | 427.16 | 448.52 | 802.22 | 842.33 | 884.47 | 928.69 | 975.13 |
| 108.5 | 4.7277 | 4.9641 | 5.2123 | 5.4729 | 5.7465 | 378.22 | 397.13 | 416.98 | 437.83 | 459.72 | 822.29 | 863.40 | 906.56 | 951.89 | 999.48 |
| 109.0 | 4.8430 | 5.0852 | 5.3395 | 5.6065 | 5.8868 | 387.44 | 406.82 | 427.16 | 448.52 | 470.94 | 842.33 | 884.47 | 928.69 | 975.13 | 1023.87 |
| 109.5 | 4.9641 | 5.2123 | 5.4729 | 5.7465 | 6.0338 | 397.13 | 416.98 | 437.83 | 459.72 | 482.70 | 863.40 | 906.56 | 951.89 | 999.48 | 1049.44 |
| 110.0 | 5.0852 | 5.3395 | 5.6065 | 5.8868 | 6.1811 | 406.82 | 427.16 | 448.52 | 470.94 | 494.49 | 884.47 | 928.69 | 975.13 | 1023.87 | 1075.07 |
| 110.5 | 5.2123 | 5.4729 | 5.7465 | 6.0338 | 6.3355 | 416.98 | 437.83 | 459.72 | 482.70 | 506.84 | 906.56 | 951.89 | 999.48 | 1049.44 | 1101.92 |
| 111.0 | 5.3395 | 5.6065 | 5.8868 | 6.1811 | 6.4902 | 427.16 | 448.52 | 470.94 | 494.49 | 519.22 | 928.69 | 975.13 | 1023.87 | 1075.07 | 1128.84 |
| 111.5 | 5.4729 | 5.7465 | 6.0338 | 6.3355 | 6.6523 | 437.83 | 459.72 | 482.70 | 506.84 | 532.18 | 951.89 | 999.48 | 1049.44 | 1101.92 | 1157.01 |
| 112.0 | 5.6065 | 5.8868 | 6.1811 | 6.4902 | 6.8147 | 448.52 | 470.94 | 494.49 | 519.22 | 545.18 | 975.13 | 1023.87 | 1075.07 | 1128.84 | 1185.28 |
| 112.5 | 5.7465 | 6.0338 | 6.3355 | 6.6523 | 6.9849 | 459.72 | 482.70 | 506.84 | 532.18 | 558.79 | 999.48 | 1049.44 | 1101.92 | 1157.01 | 1214.87 |
| 113.0 | 5.8868 | 6.1811 | 6.4902 | 6.8147 | 7.1554 | 470.94 | 494.49 | 519.22 | 545.18 | 572.43 | 1023.87 | 1075.07 | 1128.84 | 1185.28 | 1244.52 |
| 113.5 | 6.0338 | 6.3355 | 6.6523 | 6.9849 | 7.3341 | 482.70 | 506.84 | 532.18 | 558.79 | 586.73 | 1049.44 | 1101.92 | 1157.01 | 1214.87 | 1275.61 |
| 114.0 | 6.1811 | 6.4902 | 6.8147 | 7.1554 | 7.5132 | 494.49 | 519.22 | 545.18 | 572.43 | 601.06 | 1075.07 | 1128.84 | 1185.28 | 1244.52 | 1306.76 |
| 114.5 | 6.3355 | 6.6523 | 6.9849 | 7.3341 | 7.7008 | 506.84 | 532.18 | 558.79 | 586.73 | 616.06 | 1101.92 | 1157.01 | 1214.87 | 1275.61 | 1339.38 |
| 115.0 | 6.4902 | 6.8147 | 7.1554 | 7.5132 | 7.8889 | 519.22 | 545.18 | 572.43 | 601.06 | 631.11 | 1128.84 | 1185.28 | 1244.52 | 1306.76 | 1372.10 |
| 115.5 | 6.6523 | 6.9849 | 7.3341 | 7.7008 | 8.0858 | 532.18 | 558.79 | 586.73 | 616.06 | 646.86 | 1157.01 | 1214.87 | 1275.61 | 1339.38 | 1406.34 |
| 116.0 | 6.8147 | 7.1554 | 7.5132 | 7.8889 | 8.2833 | 545.18 | 572.43 | 601.06 | 631.11 | 662.66 | 1185.28 | 1244.52 | 1306.76 | 1372.10 | 1440.69 |
| 116.5 | 6.9849 | 7.3341 | 7.7008 | 8.0858 | 8.4901 | 558.79 | 586.73 | 616.06 | 646.86 | 679.21 | 1214.87 | 1275.61 | 1339.38 | 1406.34 | 1476.67 |
| 117.0 | 7.1554 | 7.5132 | 7.8889 | 8.2833 | 8.6975 | 572.43 | 601.06 | 631.11 | 662.66 | 695.80 | 1244.52 | 1306.76 | 1372.10 | 1440.69 | 1512.74 |
| 117.5 | 7.3341 | 7.7008 | 8.0858 | 8.4901 | 8.9146 | 586.73 | 616.06 | 646.86 | 679.21 | 713.17 | 1275.61 | 1339.38 | 1406.34 | 1476.67 | 1550.50 |
| 118.0 | 7.5132 | 7.8889 | 8.2833 | 8.6975 | 9.1324 | 601.06 | 631.11 | 662.66 | 695.80 | 730.59 | 1306.76 | 1372.10 | 1440.69 | 1512.74 | 1588.38 |
| 118.5 | 7.7008 | 8.0858 | 8.4901 | 8.9146 | 9.3603 | 616.06 | 646.86 | 679.21 | 713.17 | 748.82 | 1339.38 | 1406.34 | 1476.67 | 1550.50 | 1628.01 |
| 119.0 | 7.8889 | 8.2833 | 8.6975 | 9.1324 | 9.5890 | 631.11 | 662.66 | 695.80 | 730.59 | 767.12 | 1372.10 | 1440.69 | 1512.74 | 1588.38 | 1667.80 |
| 119.5 | 8.0858 | 8.4901 | 8.9146 | 9.3603 | 9.8283 | 646.86 | 679.21 | 713.17 | 748.82 | 786.26 | 1406.34 | 1476.67 | 1550.50 | 1628.01 | 1709.41 |
| 120.0 | 8.2833 | 8.6975 | 9.1324 | 9.5890 | 10.0685 | 662.66 | 695.80 | 730.59 | 767.12 | 805.48 | 1440.69 | 1512.74 | 1588.38 | 1667.80 | 1751.19 |
| 120.5 | 8.4901 | 8.9146 | 9.3603 | 9.8283 | 10.3197 | 679.21 | 713.17 | 748.82 | 786.26 | 825.58 | 1476.67 | 1550.50 | 1628.01 | 1709.41 | 1794.89 |
| 121.0 | 8.6975 | 9.1324 | 9.5890 | 10.0685 | 10.5719 | 695.80 | 730.59 | 767.12 | 805.48 | 845.75 | 1512.74 | 1588.38 | 1667.80 | 1751.19 | 1838.75 |
| 121.5 | 8.9146 | 9.3603 | 9.8283 | 10.3197 | 10.8357 | 713.17 | 748.82 | 786.26 | 825.58 | 866.86 | 1550.50 | 1628.01 | 1709.41 | 1794.89 | 1884.64 |
| 122.0 | 9.1324 | 9.5890 | 10.0685 | 10.5719 | 11.1005 | 730.59 | 767.12 | 805.48 | 845.75 | 888.04 | 1588.38 | 1667.80 | 1751.19 | 1838.75 | 1930.69 |
| 122.5 | 9.3603 | 9.8283 | 10.3197 | 10.8357 | 11.3775 | 748.82 | 786.26 | 825.58 | 866.86 | 910.20 | 1628.01 | 1709.41 | 1794.89 | 1884.64 | 1978.87 |
| 123.0 | 9.5890 | 10.0685 | 10.5719 | 11.1005 | 11.6555 | 767.12 | 805.48 | 845.75 | 888.04 | 932.44 | 1667.80 | 1751.19 | 1838.75 | 1930.69 | 2027.22 |
| 123.5 | 9.8283 | 10.3197 | 10.8357 | 11.3775 | 11.9464 | 786.26 | 825.58 | 866.86 | 910.20 | 955.71 | 1709.41 | 1794.89 | 1884.64 | 1978.87 | 2077.81 |

EXHIBIT "A-1"

SCHEDULE A-1
MISCELLANEOUS
EMPLOYEES

# CITY OF MODESTO
## SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
## EFFECTIVE 6/28/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 124.0 | 10.0685 | 10.5719 | 11.1005 | 11.6555 | 12.2383 | 805.48 | 845.75 | 888.04 | 932.44 | 979.06 | 1751.19 | 1838.75 | 1930.69 | 2027.22 | 2128.57 |
| 124.5 | 10.3197 | 10.8357 | 11.3775 | 11.9464 | 12.5437 | 825.58 | 866.86 | 910.20 | 955.71 | 1003.50 | 1794.89 | 1884.64 | 1978.87 | 2077.81 | 2181.71 |
| 125.0 | 10.5719 | 11.1005 | 11.6555 | 12.2383 | 12.8502 | 845.75 | 888.04 | 932.44 | 979.06 | 1028.02 | 1838.75 | 1930.69 | 2027.22 | 2128.57 | 2235.02 |
| 125.5 | 10.8357 | 11.3775 | 11.9464 | 12.5437 | 13.1709 | 866.86 | 910.20 | 955.71 | 1003.50 | 1053.67 | 1884.64 | 1978.87 | 2077.81 | 2181.71 | 2290.78 |
| 126.0 | 11.1005 | 11.6555 | 12.2383 | 12.8502 | 13.4927 | 888.04 | 932.44 | 979.06 | 1028.02 | 1079.42 | 1930.69 | 2027.22 | 2128.57 | 2235.02 | 2346.77 |
| 126.5 | 11.3775 | 11.9464 | 12.5437 | 13.1709 | 13.8294 | 910.20 | 955.71 | 1003.50 | 1053.67 | 1106.35 | 1978.87 | 2077.81 | 2181.71 | 2290.78 | 2405.32 |
| 127.0 | 11.6555 | 12.2383 | 12.8502 | 13.4927 | 14.1673 | 932.44 | 979.06 | 1028.02 | 1079.42 | 1133.38 | 2027.22 | 2128.57 | 2235.02 | 2346.77 | 2464.08 |
| 127.5 | 11.9464 | 12.5437 | 13.1709 | 13.8294 | 14.5209 | 955.71 | 1003.50 | 1053.67 | 1106.35 | 1161.67 | 2077.81 | 2181.71 | 2290.78 | 2405.32 | 2525.59 |
| 128.0 | 12.2383 | 12.8502 | 13.4927 | 14.1673 | 14.8757 | 979.06 | 1028.02 | 1079.42 | 1133.38 | 1190.06 | 2128.57 | 2235.02 | 2346.77 | 2464.08 | 2587.31 |
| 128.5 | 12.5437 | 13.1709 | 13.8294 | 14.5209 | 15.2469 | 1003.50 | 1053.67 | 1106.35 | 1161.67 | 1219.75 | 2181.71 | 2290.78 | 2405.32 | 2525.59 | 2651.86 |
| 129.0 | 12.8502 | 13.4927 | 14.1673 | 14.8757 | 15.6195 | 1028.02 | 1079.42 | 1133.38 | 1190.06 | 1249.56 | 2235.02 | 2346.77 | 2464.08 | 2587.31 | 2716.67 |
| 129.5 | 13.1709 | 13.8294 | 14.5209 | 15.2469 | 16.0092 | 1053.67 | 1106.35 | 1161.67 | 1219.75 | 1280.74 | 2290.78 | 2405.32 | 2525.59 | 2651.86 | 2784.46 |
| 130.0 | 13.4927 | 14.1673 | 14.8757 | 15.6195 | 16.4005 | 1079.42 | 1133.38 | 1190.06 | 1249.56 | 1312.04 | 2346.77 | 2464.08 | 2587.31 | 2716.67 | 2852.51 |
| 130.5 | 13.8294 | 14.5209 | 15.2469 | 16.0092 | 16.8097 | 1106.35 | 1161.67 | 1219.75 | 1280.74 | 1344.78 | 2405.32 | 2525.59 | 2651.86 | 2784.46 | 2923.69 |

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

SCHEDULE B-1
FIREFIGHTERS

# CITY OF MODESTO
## SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
## EFFECTIVE 6/28/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 208.0 | 6.6077 | 6.9381 | 7.2850 | 7.6493 | 8.0318 | 740.06 | 777.07 | 815.92 | 856.72 | 899.56 | 1608.96 | 1689.43 | 1773.89 | 1862.59 | 1955.73 |
| 209.0 | 6.9381 | 7.2850 | 7.6493 | 8.0318 | 8.4334 | 777.07 | 815.92 | 856.72 | 899.56 | 944.54 | 1689.43 | 1773.89 | 1862.59 | 1955.73 | 2053.52 |
| 210.0 | 7.2850 | 7.6493 | 8.0318 | 8.4334 | 8.8551 | 815.92 | 856.72 | 899.56 | 944.54 | 991.77 | 1773.89 | 1862.59 | 1955.73 | 2053.52 | 2156.21 |
| 210.5 | 7.4673 | 7.8407 | 8.2327 | 8.6443 | 9.0765 | 836.34 | 878.16 | 922.06 | 968.16 | 1016.57 | 1818.29 | 1909.21 | 2004.65 | 2104.88 | 2210.12 |
| 211.0 | 7.6493 | 8.0318 | 8.4334 | 8.8551 | 9.2979 | 856.72 | 899.56 | 944.54 | 991.77 | 1041.36 | 1862.59 | 1955.73 | 2053.52 | 2156.21 | 2264.02 |
| 211.5 | 7.8407 | 8.2327 | 8.6443 | 9.0765 | 9.5303 | 878.16 | 922.06 | 968.16 | 1016.57 | 1067.39 | 1909.21 | 2004.65 | 2104.88 | 2210.12 | 2320.61 |
| 212.0 | 8.0318 | 8.4334 | 8.8551 | 9.2979 | 9.7628 | 899.56 | 944.54 | 991.77 | 1041.36 | 1093.43 | 1955.73 | 2053.52 | 2156.21 | 2264.02 | 2377.23 |
| 212.5 | 8.2327 | 8.6443 | 9.0765 | 9.5303 | 10.0068 | 922.06 | 968.16 | 1016.57 | 1067.39 | 1120.76 | 2004.65 | 2104.88 | 2210.12 | 2320.61 | 2436.64 |
| 213.0 | 8.4334 | 8.8551 | 9.2979 | 9.7628 | 10.2509 | 944.54 | 991.77 | 1041.36 | 1093.43 | 1148.10 | 2053.52 | 2156.21 | 2264.02 | 2377.23 | 2496.08 |
| 213.5 | 8.6443 | 9.0765 | 9.5303 | 10.0068 | 10.5071 | 968.16 | 1016.57 | 1067.39 | 1120.76 | 1176.80 | 2104.88 | 2210.12 | 2320.61 | 2436.64 | 2558.48 |
| 214.0 | 8.8551 | 9.2979 | 9.7628 | 10.2509 | 10.7634 | 991.77 | 1041.36 | 1093.43 | 1148.10 | 1205.50 | 2156.21 | 2264.02 | 2377.23 | 2496.08 | 2620.88 |
| 214.5 | 9.0765 | 9.5303 | 10.0068 | 10.5071 | 11.0325 | 1016.57 | 1067.39 | 1120.76 | 1176.80 | 1235.64 | 2210.12 | 2320.61 | 2436.64 | 2558.48 | 2686.40 |

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 112
MONTHLY SALARY = BI-WKLY RATE X 2.1741

EXHIBIT "D-1"

SCHEDULE C-1
POLICE PERSONNEL

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
EFFECTIVE 6/28/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 308.0 | 10.4242 | 10.9454 | 11.4927 | 12.0673 | 12.6707 | 833.94 | 875.63 | 919.42 | 965.38 | 1013.66 | 1813.07 | 1903.71 | 1998.91 | 2098.83 | 2203.80 |
| 309.0 | 10.9454 | 11.4927 | 12.0673 | 12.6707 | 13.3042 | 875.63 | 919.42 | 965.38 | 1013.66 | 1064.34 | 1903.71 | 1998.91 | 2098.83 | 2203.80 | 2313.98 |
| 310.0 | 11.4927 | 12.0673 | 12.6707 | 13.3042 | 13.9694 | 919.42 | 965.38 | 1013.66 | 1064.34 | 1117.55 | 1998.91 | 2098.83 | 2203.80 | 2313.98 | 2429.67 |
| 311.0 | 12.0673 | 12.6707 | 13.3042 | 13.9694 | 14.6679 | 965.38 | 1013.66 | 1064.34 | 1117.55 | 1173.43 | 2098.83 | 2203.80 | 2313.98 | 2429.67 | 2551.15 |
| 312.0 | 12.6707 | 13.3042 | 13.9694 | 14.6679 | 15.4013 | 1013.66 | 1064.34 | 1117.55 | 1173.43 | 1232.10 | 2203.80 | 2313.98 | 2429.67 | 2551.15 | 2678.71 |
| 313.0 | 13.3042 | 13.9694 | 14.6679 | 15.4013 | 16.1714 | 1064.34 | 1117.55 | 1173.43 | 1232.10 | 1293.71 | 2313.98 | 2429.67 | 2551.15 | 2678.71 | 2812.65 |

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

EXHIBIT "C-1"

SCHEDULE D-1
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
EFFECTIVE 6/28/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 409.0 | 4.8430 | 5.0852 | 5.3395 | 5.6065 | 5.8868 | 387.44 | 406.82 | 427.16 | 448.52 | 470.94 | 842.33 | 884.47 | 928.69 | 975.13 | 1023.87 |
| 410.0 | 5.0852 | 5.3395 | 5.6065 | 5.8868 | 6.1811 | 406.82 | 427.16 | 448.52 | 470.94 | 494.49 | 884.47 | 928.69 | 975.13 | 1023.87 | 1075.07 |
| 410.5 | 5.2123 | 5.4729 | 5.7465 | 6.0338 | 6.3355 | 416.98 | 437.83 | 459.72 | 482.70 | 506.84 | 906.56 | 951.89 | 999.48 | 1049.44 | 1101.92 |
| 411.0 | 5.3395 | 5.6065 | 5.8868 | 6.1811 | 6.4902 | 427.16 | 448.52 | 470.94 | 494.49 | 519.22 | 928.69 | 975.13 | 1023.87 | 1075.07 | 1128.84 |
| 411.5 | 5.4729 | 5.7465 | 6.0338 | 6.3355 | 6.6523 | 437.83 | 459.72 | 482.70 | 506.84 | 532.18 | 951.89 | 999.48 | 1049.44 | 1101.92 | 1157.01 |
| 412.0 | 5.6065 | 5.8868 | 6.1811 | 6.4902 | 6.8147 | 448.52 | 470.94 | 494.49 | 519.22 | 545.18 | 975.13 | 1023.87 | 1075.07 | 1128.84 | 1185.28 |
| 412.5 | 5.7465 | 6.0338 | 6.3355 | 6.6523 | 6.9849 | 459.72 | 482.70 | 506.84 | 532.18 | 558.79 | 999.48 | 1049.44 | 1101.92 | 1157.01 | 1214.87 |
| 413.0 | 5.8868 | 6.1811 | 6.4902 | 6.8147 | 7.1554 | 470.94 | 494.49 | 519.22 | 545.18 | 572.43 | 1023.87 | 1075.07 | 1128.84 | 1185.28 | 1244.52 |
| 413.5 | 6.0338 | 6.3355 | 6.6523 | 6.9849 | 7.3341 | 482.70 | 506.84 | 532.18 | 558.79 | 586.73 | 1049.44 | 1101.92 | 1157.01 | 1214.87 | 1275.61 |
| 414.0 | 6.1811 | 6.4902 | 6.8147 | 7.1554 | 7.5132 | 494.49 | 519.22 | 545.18 | 572.43 | 601.06 | 1075.07 | 1128.84 | 1185.28 | 1244.52 | 1306.76 |
| 414.5 | 6.3355 | 6.6523 | 6.9849 | 7.3341 | 7.7008 | 506.84 | 532.18 | 558.79 | 586.73 | 616.06 | 1101.92 | 1157.01 | 1214.87 | 1275.61 | 1339.38 |
| 415.0 | 6.4902 | 6.8147 | 7.1554 | 7.5132 | 7.8889 | 519.22 | 545.18 | 572.43 | 601.06 | 631.11 | 1128.84 | 1185.28 | 1244.52 | 1306.76 | 1372.10 |
| 415.5 | 6.6523 | 6.9849 | 7.3341 | 7.7008 | 8.0858 | 532.18 | 558.79 | 586.73 | 616.06 | 646.86 | 1157.01 | 1214.87 | 1275.61 | 1339.38 | 1406.34 |
| 416.0 | 6.8147 | 7.1554 | 7.5132 | 7.8889 | 8.2833 | 545.18 | 572.43 | 601.06 | 631.11 | 662.66 | 1185.28 | 1244.52 | 1306.76 | 1372.10 | 1440.69 |
| 416.5 | 6.9849 | 7.3341 | 7.7008 | 8.0858 | 8.4901 | 558.79 | 586.73 | 616.06 | 646.86 | 679.21 | 1214.87 | 1275.61 | 1339.38 | 1406.34 | 1476.67 |
| 417.0 | 7.1554 | 7.5132 | 7.8889 | 8.2833 | 8.6975 | 572.43 | 601.06 | 631.11 | 662.66 | 695.80 | 1244.52 | 1306.76 | 1372.10 | 1440.69 | 1512.74 |
| 417.5 | 7.3341 | 7.7008 | 8.0858 | 8.4901 | 8.9146 | 586.73 | 616.06 | 646.86 | 679.21 | 713.17 | 1275.61 | 1339.38 | 1406.34 | 1476.67 | 1550.50 |
| 418.0 | 7.5132 | 7.8889 | 8.2833 | 8.6975 | 9.1324 | 601.06 | 631.11 | 662.66 | 695.80 | 730.59 | 1306.76 | 1372.10 | 1440.69 | 1512.74 | 1588.38 |
| 418.5 | 7.7008 | 8.0858 | 8.4901 | 8.9146 | 9.3603 | 616.06 | 646.86 | 679.21 | 713.17 | 748.82 | 1339.38 | 1406.34 | 1476.67 | 1550.50 | 1628.01 |
| 419.0 | 7.8889 | 8.2833 | 8.6975 | 9.1324 | 9.5890 | 631.11 | 662.66 | 695.80 | 730.59 | 767.12 | 1372.10 | 1440.69 | 1512.74 | 1588.38 | 1667.80 |
| 419.5 | 8.0858 | 8.4901 | 8.9146 | 9.3603 | 9.8283 | 646.86 | 679.21 | 713.17 | 748.82 | 786.26 | 1406.34 | 1476.67 | 1550.50 | 1628.01 | 1709.41 |
| 420.0 | 8.2833 | 8.6975 | 9.1324 | 9.5890 | 10.0685 | 662.66 | 695.80 | 730.59 | 767.12 | 805.48 | 1440.69 | 1512.74 | 1588.38 | 1667.80 | 1751.19 |
| 420.5 | 8.4901 | 8.9146 | 9.3603 | 9.8283 | 10.3197 | 679.21 | 713.17 | 748.82 | 786.26 | 825.58 | 1476.67 | 1550.50 | 1628.01 | 1709.41 | 1794.89 |
| 421.0 | 8.6975 | 9.1324 | 9.5890 | 10.0685 | 10.5719 | 695.80 | 730.59 | 767.12 | 805.48 | 845.75 | 1512.74 | 1588.38 | 1667.80 | 1751.19 | 1838.75 |
| 421.5 | 8.9146 | 9.3603 | 9.8283 | 10.3197 | 10.8357 | 713.17 | 748.82 | 786.26 | 825.58 | 866.86 | 1550.50 | 1628.01 | 1709.41 | 1794.89 | 1884.64 |
| 422.0 | 9.1324 | 9.5890 | 10.0685 | 10.5719 | 11.1005 | 730.59 | 767.12 | 805.48 | 845.75 | 888.04 | 1588.38 | 1667.80 | 1751.19 | 1838.75 | 1930.69 |
| 422.5 | 9.3603 | 9.8283 | 10.3197 | 10.8357 | 11.3775 | 748.82 | 786.26 | 825.58 | 866.86 | 910.20 | 1628.01 | 1709.41 | 1794.89 | 1884.64 | 1978.87 |
| 423.0 | 9.5890 | 10.0685 | 10.5719 | 11.1005 | 11.6555 | 767.12 | 805.48 | 845.75 | 888.04 | 932.44 | 1667.80 | 1751.19 | 1838.75 | 1930.69 | 2027.22 |
| 423.5 | 9.8283 | 10.3197 | 10.8357 | 11.3775 | 11.9464 | 786.26 | 825.58 | 866.86 | 910.20 | 955.71 | 1709.41 | 1794.89 | 1884.64 | 1978.87 | 2077.81 |
| 424.0 | 10.0685 | 10.5719 | 11.1005 | 11.6555 | 12.2383 | 805.48 | 845.75 | 888.04 | 932.44 | 979.06 | 1751.19 | 1838.75 | 1930.69 | 2027.22 | 2128.57 |
| 424.5 | 10.3197 | 10.8357 | 11.3775 | 11.9464 | 12.5437 | 825.58 | 866.86 | 910.20 | 955.71 | 1003.50 | 1794.89 | 1884.64 | 1978.87 | 2077.81 | 2181.71 |
| 425.0 | 10.5719 | 11.1005 | 11.6555 | 12.2383 | 12.8502 | 845.75 | 888.04 | 932.44 | 979.06 | 1028.02 | 1838.75 | 1930.69 | 2027.22 | 2128.57 | 2235.02 |
| 425.5 | 10.8357 | 11.3775 | 11.9464 | 12.5437 | 13.1709 | 866.86 | 910.20 | 955.71 | 1003.50 | 1053.67 | 1884.64 | 1978.87 | 2077.81 | 2181.71 | 2290.78 |
| 426.0 | 11.1005 | 11.6555 | 12.2383 | 12.8502 | 13.4927 | 888.04 | 932.44 | 979.06 | 1028.02 | 1079.42 | 1930.69 | 2027.22 | 2128.57 | 2235.02 | 2346.77 |
| 426.5 | 11.3775 | 11.9464 | 12.5437 | 13.1709 | 13.8294 | 910.20 | 955.71 | 1003.50 | 1053.67 | 1106.35 | 1978.87 | 2077.81 | 2181.71 | 2290.78 | 2405.32 |
| 427.0 | 11.6555 | 12.2383 | 12.8502 | 13.4927 | 14.1673 | 932.44 | 979.06 | 1028.02 | 1079.42 | 1133.38 | 2027.22 | 2128.57 | 2235.02 | 2346.77 | 2464.08 |
| 427.5 | 11.9464 | 12.5437 | 13.1709 | 13.8294 | 14.5209 | 955.71 | 1003.50 | 1053.67 | 1106.35 | 1161.67 | 2077.81 | 2181.71 | 2290.78 | 2405.32 | 2525.59 |

EXHIBIT "D-1"

SCHEDULE D-1
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
EFFECTIVE 6/28/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 428.0 | 12.2383 | 12.8502 | 13.4927 | 14.1673 | 14.8757 | 979.06 | 1028.02 | 1079.42 | 1133.38 | 1190.06 | 2128.57 | 2235.02 | 2346.77 | 2464.08 | 2587.31 |
| 428.5 | 12.5437 | 13.1709 | 13.8294 | 14.5209 | 15.2469 | 1003.50 | 1053.67 | 1106.35 | 1161.67 | 1219.75 | 2181.71 | 2290.78 | 2405.32 | 2525.59 | 2651.86 |
| 429.0 | 12.8502 | 13.4927 | 14.1673 | 14.8757 | 15.6195 | 1028.02 | 1079.42 | 1133.38 | 1190.06 | 1249.56 | 2235.02 | 2346.77 | 2464.08 | 2587.31 | 2716.67 |
| 429.5 | 13.1709 | 13.8294 | 14.5209 | 15.2469 | 16.0092 | 1053.67 | 1106.35 | 1161.67 | 1219.75 | 1280.74 | 2290.78 | 2405.32 | 2525.59 | 2651.86 | 2784.46 |
| 430.0 | 13.4927 | 14.1673 | 14.8757 | 15.6195 | 16.4005 | 1079.42 | 1133.38 | 1190.06 | 1249.56 | 1312.04 | 2346.77 | 2464.08 | 2587.31 | 2716.67 | 2852.51 |
| 430.5 | 13.8294 | 14.5209 | 15.2469 | 16.0092 | 16.8097 | 1106.35 | 1161.67 | 1219.75 | 1280.74 | 1344.78 | 2405.32 | 2525.59 | 2651.86 | 2784.46 | 2923.69 |
| 431.0 | 14.1673 | 14.8757 | 15.6195 | 16.4005 | 17.2205 | 1133.38 | 1190.06 | 1249.56 | 1312.04 | 1377.64 | 2464.08 | 2587.31 | 2716.67 | 2852.51 | 2995.13 |
| 431.5 | 14.5209 | 15.2469 | 16.0092 | 16.8097 | 17.6502 | 1161.67 | 1219.75 | 1280.74 | 1344.78 | 1412.02 | 2525.59 | 2651.86 | 2784.46 | 2923.69 | 3069.87 |
| 432.0 | 14.8757 | 15.6195 | 16.4005 | 17.2205 | 18.0815 | 1190.06 | 1249.56 | 1312.04 | 1377.64 | 1446.52 | 2587.31 | 2716.67 | 2852.51 | 2995.13 | 3144.88 |
| 432.5 | 15.2469 | 16.0092 | 16.8097 | 17.6502 | 18.5327 | 1219.75 | 1280.74 | 1344.78 | 1412.02 | 1482.62 | 2651.86 | 2784.46 | 2923.69 | 3069.87 | 3223.36 |
| 433.0 | 15.6195 | 16.4005 | 17.2205 | 18.0815 | 18.9856 | 1249.56 | 1312.04 | 1377.64 | 1446.52 | 1518.85 | 2716.67 | 2852.51 | 2995.13 | 3144.88 | 3302.13 |
| 433.5 | 16.0092 | 16.8097 | 17.6502 | 18.5327 | 19.4593 | 1280.74 | 1344.78 | 1412.02 | 1482.62 | 1556.74 | 2784.46 | 2923.69 | 3069.87 | 3223.36 | 3384.51 |
| 434.0 | 16.4005 | 17.2205 | 18.0815 | 18.9856 | 19.9349 | 1312.04 | 1377.64 | 1446.52 | 1518.85 | 1594.79 | 2852.51 | 2995.13 | 3144.88 | 3302.13 | 3467.23 |
| 434.5 | 16.8097 | 17.6502 | 18.5327 | 19.4593 | 20.4323 | 1344.78 | 1412.02 | 1482.62 | 1556.74 | 1634.58 | 2923.69 | 3069.87 | 3223.36 | 3384.51 | 3553.74 |
| 435.0 | 17.2205 | 18.0815 | 18.9856 | 19.9349 | 20.9316 | 1377.64 | 1446.52 | 1518.85 | 1594.79 | 1674.53 | 2995.13 | 3144.88 | 3302.13 | 3467.23 | 3640.60 |
| 435.5 | 17.6502 | 18.5327 | 19.4593 | 20.4323 | 21.4539 | 1412.02 | 1482.62 | 1556.74 | 1634.58 | 1716.31 | 3069.87 | 3223.36 | 3384.51 | 3553.74 | 3731.43 |
| 436.0 | 18.0815 | 18.9856 | 19.9349 | 20.9316 | 21.9782 | 1446.52 | 1518.85 | 1594.79 | 1674.53 | 1758.26 | 3144.88 | 3302.13 | 3467.23 | 3640.60 | 3822.63 |
| 436.5 | 18.5327 | 19.4593 | 20.4323 | 21.4539 | 22.5266 | 1482.62 | 1556.74 | 1634.58 | 1716.31 | 1802.13 | 3223.36 | 3384.51 | 3553.74 | 3731.43 | 3918.01 |
| 437.0 | 18.9856 | 19.9349 | 20.9316 | 21.9782 | 23.0771 | 1518.85 | 1594.79 | 1674.53 | 1758.26 | 1846.17 | 3302.13 | 3467.23 | 3640.60 | 3822.63 | 4013.76 |
| 437.5 | 19.4593 | 20.4323 | 21.4539 | 22.5266 | 23.6529 | 1556.74 | 1634.58 | 1716.31 | 1802.13 | 1892.23 | 3384.51 | 3553.74 | 3731.43 | 3918.01 | 4113.90 |
| 438.0 | 19.9349 | 20.9316 | 21.9782 | 23.0771 | 24.2310 | 1594.79 | 1674.53 | 1758.26 | 1846.17 | 1938.48 | 3467.23 | 3640.60 | 3822.63 | 4013.76 | 4214.45 |
| 438.5 | 20.4323 | 21.4539 | 22.5266 | 23.6529 | 24.8355 | 1634.58 | 1716.31 | 1802.13 | 1892.23 | 1986.84 | 3553.74 | 3731.43 | 3918.01 | 4113.90 | 4319.59 |
| 439.0 | 20.9316 | 21.9782 | 23.0771 | 24.2310 | 25.4426 | 1674.53 | 1758.26 | 1846.17 | 1938.48 | 2035.41 | 3640.60 | 3822.63 | 4013.76 | 4214.45 | 4425.18 |
| 439.5 | 21.4539 | 22.5266 | 23.6529 | 24.8355 | 26.0773 | 1716.31 | 1802.13 | 1892.23 | 1986.84 | 2086.18 | 3731.43 | 3918.01 | 4113.90 | 4319.59 | 4535.56 |
| 440.0 | 21.9782 | 23.0771 | 24.2310 | 25.4426 | 26.7147 | 1758.26 | 1846.17 | 1938.48 | 2035.41 | 2137.18 | 3822.63 | 4013.76 | 4214.45 | 4425.18 | 4646.44 |
| 440.5 | 22.5266 | 23.6529 | 24.8355 | 26.0773 | 27.3812 | 1802.13 | 1892.23 | 1986.84 | 2086.18 | 2190.50 | 3918.01 | 4113.90 | 4319.59 | 4535.56 | 4762.37 |
| 529.0 | 13.6567 | 14.3395 | 15.0565 | 15.8093 | 16.5998 | 1092.54 | 1147.16 | 1204.52 | 1264.74 | 1327.98 | 2375.29 | 2494.04 | 2618.75 | 2749.67 | 2887.16 |
| 530.0 | 14.3395 | 15.0565 | 15.8093 | 16.5998 | 17.4298 | 1147.16 | 1204.52 | 1264.74 | 1327.98 | 1394.38 | 2494.04 | 2618.75 | 2749.67 | 2887.16 | 3031.52 |
| 531.0 | 15.0565 | 15.8093 | 16.5998 | 17.4298 | 18.3013 | 1204.52 | 1264.74 | 1327.98 | 1394.38 | 1464.10 | 2618.75 | 2749.67 | 2887.16 | 3031.52 | 3183.10 |
| 627.0 | 13.3248 | 13.9910 | 14.6906 | 15.4251 | 16.1964 | 1065.98 | 1119.28 | 1175.25 | 1234.01 | 1295.71 | 2317.55 | 2433.43 | 2555.11 | 2682.86 | 2817.00 |
| 627.5 | 13.6578 | 14.3407 | 15.0577 | 15.8106 | 16.6011 | 1092.62 | 1147.26 | 1204.62 | 1264.85 | 1328.09 | 2375.47 | 2494.26 | 2618.96 | 2749.91 | 2887.40 |
| 628.0 | 13.9910 | 14.6906 | 15.4251 | 16.1964 | 17.0062 | 1119.28 | 1175.25 | 1234.01 | 1295.71 | 1360.50 | 2433.43 | 2555.11 | 2682.86 | 2817.00 | 2957.86 |
| 628.5 | 14.3407 | 15.0577 | 15.8106 | 16.6011 | 17.4312 | 1147.26 | 1204.62 | 1264.85 | 1328.09 | 1394.50 | 2494.26 | 2618.96 | 2749.91 | 2887.40 | 3031.78 |
| 629.0 | 14.6906 | 15.4251 | 16.1964 | 17.0062 | 17.8565 | 1175.25 | 1234.01 | 1295.71 | 1360.50 | 1428.52 | 2555.11 | 2682.86 | 2817.00 | 2957.86 | 3105.75 |
| 629.5 | 15.0577 | 15.8106 | 16.6011 | 17.4312 | 18.3028 | 1204.62 | 1264.85 | 1328.09 | 1394.50 | 1464.22 | 2618.96 | 2749.91 | 2887.40 | 3031.78 | 3183.36 |
| 630.0 | 15.4251 | 16.1964 | 17.0062 | 17.8565 | 18.7493 | 1234.01 | 1295.71 | 1360.50 | 1428.52 | 1499.94 | 2682.86 | 2817.00 | 2957.86 | 3105.75 | 3261.02 |
| 630.5 | 15.8106 | 16.6011 | 17.4312 | 18.3028 | 19.2179 | 1264.85 | 1328.09 | 1394.50 | 1464.22 | 1537.43 | 2749.91 | 2887.40 | 3031.78 | 3183.36 | 3342.53 |
| 631.0 | 16.1964 | 17.0062 | 17.8565 | 18.7493 | 19.6868 | 1295.71 | 1360.50 | 1428.52 | 1499.94 | 1574.94 | 2817.00 | 2957.86 | 3105.75 | 3261.02 | 3424.08 |

SCHEDULE D-1
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

# CITY OF MODESTO
## SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
## EFFECTIVE 6/28/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 631.5 | 16.6011 | 17.4312 | 18.3028 | 19.2179 | 20.1788 | 1328.09 | 1394.50 | 1464.22 | 1537.43 | 1614.30 | 2887.40 | 3031.78 | 3183.36 | 3342.53 | 3509.65 |
| 632.0 | 17.0062 | 17.8565 | 18.7493 | 19.6868 | 20.6711 | 1360.50 | 1428.52 | 1499.94 | 1574.94 | 1653.69 | 2957.86 | 3105.75 | 3261.02 | 3424.08 | 3595.29 |
| 632.5 | 17.4312 | 18.3028 | 19.2179 | 20.1788 | 21.1877 | 1394.50 | 1464.22 | 1537.43 | 1614.30 | 1695.02 | 3031.78 | 3183.36 | 3342.53 | 3509.65 | 3685.14 |
| 633.0 | 17.8565 | 18.7493 | 19.6868 | 20.6711 | 21.7047 | 1428.52 | 1499.94 | 1574.94 | 1653.69 | 1736.38 | 3105.75 | 3261.02 | 3424.08 | 3595.29 | 3775.06 |
| 633.5 | 18.3028 | 19.2179 | 20.1788 | 21.1877 | 22.2471 | 1464.22 | 1537.43 | 1614.30 | 1695.02 | 1779.77 | 3183.36 | 3342.53 | 3509.65 | 3685.14 | 3869.40 |

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

Schedule E-1
Unclassified Management and
Council Appointees

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR THE FY 83-84
Effective June 28, 1983

| | Rate | A | B | C | D | E |
|---|---|---|---|---|---|---|
| **Council Appointed** | | | | | | |
| City Manager | Hourly | | | | | 31.2402 |
| | Biweekly | | | | | 2,499.22 |
| | Monthly | | | | | 5,433.55 |
| City Attorney | Hourly | | | | | 26.5775 |
| | Biweekly | | | | | 2,126.20 |
| | Monthly | | | | | 4,622.57 |
| City Clerk and Auditor | Hourly | | | | | |
| | Biweekly | 14.5882 | 15.3176 | 16.0835 | 16.8877 | 17.7321 |
| | Monthly | 1,167.06 | 1,225.41 | 1,286.68 | 1,351.02 | 1,418.57 |
| | | 2,537.31 | 2,664.16 | 2,797.37 | 2,937.25 | 3,084.11 |
| **Unclassified Management** | | | | | | |
| Deputy City Manager | Hourly | | | | | |
| | Biweekly | 21.8653 | 22.9585 | 24.1071 | 25.3118 | 26.5775 |
| | Monthly | 1,749.22 | 1,836.68 | 1,928.57 | 2,024.94 | 2,126.20 |
| | | 3,802.99 | 3,993.13 | 4,192.90 | 4,402.43 | 4,622.57 |
| Director of Engineering Services | Hourly | | | | | |
| | Biweekly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Monthly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Director of Finance | Hourly | | | | | |
| | Biweekly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Monthly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Director of Management Services | Hourly | | | | | |
| | Biweekly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Monthly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Director of Parking and Traffic | Hourly | | | | | |
| | Biweekly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Monthly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |

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EXHIBIT "E-1"

SCHEDULE E-1 - Page 2
Unclassified Management and
Council Appointees
Salary Ranges Effective June 28, 1983

| | Rate | A | B | C | D | E |
|---|---|---|---|---|---|---|
| Unclassified Management (Cont'd.) | | | | | | |
| Director of Parks and Recreation | Hourly | 18.9923 | 19.9419 | 20.9390 | 21.9860 | 23.0853 |
| | Biweekly | 1,519.38 | 1,595.35 | 1,675.12 | 1,758.88 | 1,846.82 |
| | Monthly | 3,303.28 | 3,468.45 | 3,641.88 | 3,823.98 | 4,015.17 |
| Director of Planning and Community Development | Hourly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Biweekly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | Monthly | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Director of Utility Services | Hourly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Biweekly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | Monthly | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Fire Chief | Hourly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Biweekly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | Monthly | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Chief of Police | Hourly | 21.5790 | 22.6580 | 23.7909 | 24.9804 | 26.2294 |
| | Biweekly | 1,726.32 | 1,812.64 | 1,903.27 | 1,998.43 | 2,098.35 |
| | Monthly | 3,753.19 | 3,940.86 | 4,137.90 | 4,344.79 | 4,562.03 |

SCHEDULE F-1
"Y" RATES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
EFFECTIVE 6/28/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 712.6 | 5.9319 | 6.2285 | 6.5399 | 6.8669 | 7.2102 | 474.55 | 498.28 | 523.19 | 549.35 | 576.82 | 1031.72 | 1083.31 | 1137.47 | 1194.34 | 1254.06 |
| 713.6 | 6.2285 | 6.5399 | 6.8669 | 7.2102 | 7.5707 | 498.28 | 523.19 | 549.35 | 576.82 | 605.66 | 1083.31 | 1137.47 | 1194.34 | 1254.06 | 1316.77 |
| 714.6 | 6.5399 | 6.8669 | 7.2102 | 7.5707 | 7.9492 | 523.19 | 549.35 | 576.82 | 605.66 | 635.94 | 1137.47 | 1194.34 | 1254.06 | 1316.77 | 1382.60 |
| 715.6 | 6.8669 | 7.2102 | 7.5707 | 7.9492 | 8.3467 | 549.35 | 576.82 | 605.66 | 635.94 | 667.74 | 1194.34 | 1254.06 | 1316.77 | 1382.60 | 1451.73 |
| 718.5 | 8.3467 | 8.7640 | 9.2022 | 9.6623 | 10.1454 | 667.74 | 701.12 | 736.18 | 772.98 | 811.63 | 1451.73 | 1524.30 | 1600.53 | 1680.54 | 1764.56 |
| 719.0 | 8.5506 | 8.9781 | 9.4270 | 9.8984 | 10.3933 | 684.05 | 718.25 | 754.16 | 791.87 | 831.46 | 1487.19 | 1561.55 | 1639.62 | 1721.60 | 1807.68 |
| 719.5 | 8.7640 | 9.2022 | 9.6623 | 10.1454 | 10.6527 | 701.12 | 736.18 | 772.98 | 811.63 | 852.22 | 1524.30 | 1600.53 | 1680.54 | 1764.56 | 1852.81 |
| 720.0 | 8.9781 | 9.4270 | 9.8984 | 10.3933 | 10.9130 | 718.25 | 754.16 | 791.87 | 831.46 | 873.04 | 1561.55 | 1639.62 | 1721.60 | 1807.68 | 1898.08 |
| 720.5 | 9.2022 | 9.6623 | 10.1454 | 10.6527 | 11.1853 | 736.18 | 772.98 | 811.63 | 852.22 | 894.82 | 1600.53 | 1680.54 | 1764.56 | 1852.81 | 1945.43 |
| 721.0 | 9.4270 | 9.8984 | 10.3933 | 10.9130 | 11.4587 | 754.16 | 791.87 | 831.46 | 873.04 | 916.70 | 1639.62 | 1721.60 | 1807.68 | 1898.08 | 1993.00 |
| 721.5 | 9.6623 | 10.1454 | 10.6527 | 11.1853 | 11.7446 | 772.98 | 811.63 | 852.22 | 894.82 | 939.57 | 1680.54 | 1764.56 | 1852.81 | 1945.43 | 2042.72 |
| 722.0 | 9.8984 | 10.3933 | 10.9130 | 11.4587 | 12.0316 | 791.87 | 831.46 | 873.04 | 916.70 | 962.53 | 1721.60 | 1807.68 | 1898.08 | 1993.00 | 2092.64 |
| 722.5 | 10.1454 | 10.6527 | 11.1853 | 11.7446 | 12.3318 | 811.63 | 852.22 | 894.82 | 939.57 | 986.54 | 1764.56 | 1852.81 | 1945.43 | 2042.72 | 2144.84 |

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

EXHIBIT "F-1"

SCHEDULE A-2
MISCELLANEOUS
EMPLOYEES

# CITY OF MODESTO
## SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
## EFFECTIVE 10/04/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 105.5 | 4.0840 | 4.2882 | 4.5026 | 4.7277 | 4.9641 | 326.72 | 343.06 | 360.21 | 378.22 | 397.13 | 710.32 | 745.85 | 783.13 | 822.29 | 863.40 |
| 106.0 | 4.1836 | 4.3928 | 4.6124 | 4.8430 | 5.0852 | 334.69 | 351.42 | 368.99 | 387.44 | 406.82 | 727.65 | 764.02 | 802.22 | 842.33 | 884.47 |
| 106.5 | 4.2882 | 4.5026 | 4.7277 | 4.9641 | 5.2123 | 343.06 | 360.21 | 378.22 | 397.13 | 416.98 | 745.85 | 783.13 | 822.29 | 863.40 | 906.56 |
| 107.0 | 4.3928 | 4.6124 | 4.8430 | 5.0852 | 5.3395 | 351.42 | 368.99 | 387.44 | 406.82 | 427.16 | 764.02 | 802.22 | 842.33 | 884.47 | 928.69 |
| 107.5 | 4.5026 | 4.7277 | 4.9641 | 5.2123 | 5.4729 | 360.21 | 378.22 | 397.13 | 416.98 | 437.83 | 783.13 | 822.29 | 863.40 | 906.56 | 951.89 |
| 108.0 | 4.6124 | 4.8430 | 5.0852 | 5.3395 | 5.6065 | 368.99 | 387.44 | 406.82 | 427.16 | 448.52 | 802.22 | 842.33 | 884.47 | 928.69 | 975.13 |
| 108.5 | 4.7277 | 4.9641 | 5.2123 | 5.4729 | 5.7465 | 378.22 | 397.13 | 416.98 | 437.83 | 459.72 | 822.29 | 863.40 | 906.56 | 951.89 | 999.48 |
| 109.0 | 4.8430 | 5.0852 | 5.3395 | 5.6065 | 5.8868 | 387.44 | 406.82 | 427.16 | 448.52 | 470.94 | 842.33 | 884.47 | 928.69 | 975.13 | 1023.87 |
| 109.5 | 4.9641 | 5.2123 | 5.4729 | 5.7465 | 6.0338 | 397.13 | 416.98 | 437.83 | 459.72 | 482.70 | 863.40 | 906.56 | 951.89 | 999.48 | 1049.44 |
| 110.0 | 5.0852 | 5.3395 | 5.6065 | 5.8868 | 6.1811 | 406.82 | 427.16 | 448.52 | 470.94 | 494.49 | 884.47 | 928.69 | 975.13 | 1023.87 | 1075.07 |
| 110.5 | 5.2123 | 5.4729 | 5.7465 | 6.0338 | 6.3355 | 416.98 | 437.83 | 459.72 | 482.70 | 506.84 | 906.56 | 951.89 | 999.48 | 1049.44 | 1101.92 |
| 111.0 | 5.3395 | 5.6065 | 5.8868 | 6.1811 | 6.4902 | 427.16 | 448.52 | 470.94 | 494.49 | 519.22 | 928.69 | 975.13 | 1023.87 | 1075.07 | 1128.84 |
| 111.5 | 5.4729 | 5.7465 | 6.0338 | 6.3355 | 6.6523 | 437.83 | 459.72 | 482.70 | 506.84 | 532.18 | 951.89 | 999.48 | 1049.44 | 1101.92 | 1157.01 |
| 112.0 | 5.6065 | 5.8868 | 6.1811 | 6.4902 | 6.8147 | 448.52 | 470.94 | 494.49 | 519.22 | 545.18 | 975.13 | 1023.87 | 1075.07 | 1128.84 | 1185.28 |
| 112.5 | 5.7465 | 6.0338 | 6.3355 | 6.6523 | 6.9849 | 459.72 | 482.70 | 506.84 | 532.18 | 558.79 | 999.48 | 1049.44 | 1101.92 | 1157.01 | 1214.87 |
| 113.0 | 5.8868 | 6.1811 | 6.4902 | 6.8147 | 7.1554 | 470.94 | 494.49 | 519.22 | 545.18 | 572.43 | 1023.87 | 1075.07 | 1128.84 | 1185.28 | 1244.52 |
| 113.5 | 6.0338 | 6.3355 | 6.6523 | 6.9849 | 7.3341 | 482.70 | 506.84 | 532.18 | 558.79 | 586.73 | 1049.44 | 1101.92 | 1157.01 | 1214.87 | 1275.61 |
| 114.0 | 6.1811 | 6.4902 | 6.8147 | 7.1554 | 7.5132 | 494.49 | 519.22 | 545.18 | 572.43 | 601.06 | 1075.07 | 1128.84 | 1185.28 | 1244.52 | 1306.76 |
| 114.5 | 6.3355 | 6.6523 | 6.9849 | 7.3341 | 7.7008 | 506.84 | 532.18 | 558.79 | 586.73 | 616.06 | 1101.92 | 1157.01 | 1214.87 | 1275.61 | 1339.38 |
| 115.0 | 6.4902 | 6.8147 | 7.1554 | 7.5132 | 7.8889 | 519.22 | 545.18 | 572.43 | 601.06 | 631.11 | 1128.84 | 1185.28 | 1244.52 | 1306.76 | 1372.10 |
| 115.5 | 6.6523 | 6.9849 | 7.3341 | 7.7008 | 8.0858 | 532.18 | 558.79 | 586.73 | 616.06 | 646.86 | 1157.01 | 1214.87 | 1275.61 | 1339.38 | 1406.34 |
| 116.0 | 6.8147 | 7.1554 | 7.5132 | 7.8889 | 8.2833 | 545.18 | 572.43 | 601.06 | 631.11 | 662.66 | 1185.28 | 1244.52 | 1306.76 | 1372.10 | 1440.69 |
| 116.5 | 6.9849 | 7.3341 | 7.7008 | 8.0858 | 8.4901 | 558.79 | 586.73 | 616.06 | 646.86 | 679.21 | 1214.87 | 1275.61 | 1339.38 | 1406.34 | 1476.67 |
| 117.0 | 7.1554 | 7.5132 | 7.8889 | 8.2833 | 8.6975 | 572.43 | 601.06 | 631.11 | 662.66 | 695.80 | 1244.52 | 1306.76 | 1372.10 | 1440.69 | 1512.74 |
| 117.5 | 7.3341 | 7.7008 | 8.0858 | 8.4901 | 8.9146 | 586.73 | 616.06 | 646.86 | 679.21 | 713.17 | 1275.61 | 1339.38 | 1406.34 | 1476.67 | 1550.50 |
| 118.0 | 7.5132 | 7.8889 | 8.2833 | 8.6975 | 9.1324 | 601.06 | 631.11 | 662.66 | 695.80 | 730.59 | 1306.76 | 1372.10 | 1440.69 | 1512.74 | 1588.38 |
| 118.5 | 7.7008 | 8.0858 | 8.4901 | 8.9146 | 9.3603 | 616.06 | 646.86 | 679.21 | 713.17 | 748.82 | 1339.38 | 1406.34 | 1476.67 | 1550.50 | 1628.01 |
| 119.0 | 7.8889 | 8.2833 | 8.6975 | 9.1324 | 9.5890 | 631.11 | 662.66 | 695.80 | 730.59 | 767.12 | 1372.10 | 1440.69 | 1512.74 | 1588.38 | 1667.80 |
| 119.5 | 8.0858 | 8.4901 | 8.9146 | 9.3603 | 9.8283 | 646.86 | 679.21 | 713.17 | 748.82 | 786.26 | 1406.34 | 1476.67 | 1550.50 | 1628.01 | 1709.41 |
| 120.0 | 8.2833 | 8.6975 | 9.1324 | 9.5890 | 10.0685 | 662.66 | 695.80 | 730.59 | 767.12 | 805.48 | 1440.69 | 1512.74 | 1588.38 | 1667.80 | 1751.19 |
| 120.5 | 8.4901 | 8.9146 | 9.3603 | 9.8283 | 10.3197 | 679.21 | 713.17 | 748.82 | 786.26 | 825.58 | 1476.67 | 1550.50 | 1628.01 | 1709.41 | 1794.89 |
| 121.0 | 8.6975 | 9.1324 | 9.5890 | 10.0685 | 10.5719 | 695.80 | 730.59 | 767.12 | 805.48 | 845.75 | 1512.74 | 1588.38 | 1667.80 | 1751.19 | 1838.75 |
| 121.5 | 8.9146 | 9.3603 | 9.8283 | 10.3197 | 10.8357 | 713.17 | 748.82 | 786.26 | 825.58 | 866.86 | 1550.50 | 1628.01 | 1709.41 | 1794.89 | 1884.64 |
| 122.0 | 9.1324 | 9.5890 | 10.0685 | 10.5719 | 11.1005 | 730.59 | 767.12 | 805.48 | 845.75 | 888.04 | 1588.38 | 1667.80 | 1751.19 | 1838.75 | 1930.69 |
| 122.5 | 9.3603 | 9.8283 | 10.3197 | 10.8357 | 11.3775 | 748.82 | 786.26 | 825.58 | 866.86 | 910.20 | 1628.01 | 1709.41 | 1794.89 | 1884.64 | 1978.87 |
| 123.0 | 9.5890 | 10.0685 | 10.5719 | 11.1005 | 11.6555 | 767.12 | 805.48 | 845.75 | 888.04 | 932.44 | 1667.80 | 1751.19 | 1838.75 | 1930.69 | 2027.22 |
| 123.5 | 9.8283 | 10.3197 | 10.8357 | 11.3775 | 11.9464 | 786.26 | 825.58 | 866.86 | 910.20 | 955.71 | 1709.41 | 1794.89 | 1884.64 | 1978.87 | 2077.81 |

EXHIBIT "A-2"

SCHEDULE A-2
MISCELLANEOUS
EMPLOYEES

# CITY OF MODESTO
## SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
## EFFECTIVE 10/04/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 124.0 | 10.0685 | 10.5719 | 11.1005 | 11.6555 | 12.2383 | 805.48 | 845.75 | 888.04 | 932.44 | 979.06 | 1751.19 | 1838.75 | 1930.69 | 2027.22 | 2128.57 |
| 124.5 | 10.3197 | 10.8357 | 11.3775 | 11.9464 | 12.5437 | 825.58 | 866.86 | 910.20 | 955.71 | 1003.50 | 1794.89 | 1884.64 | 1978.87 | 2077.81 | 2181.71 |
| 125.0 | 10.5719 | 11.1005 | 11.6555 | 12.2383 | 12.8502 | 845.75 | 888.04 | 932.44 | 979.06 | 1028.02 | 1838.75 | 1930.69 | 2027.22 | 2128.57 | 2235.02 |
| 125.5 | 10.8357 | 11.3775 | 11.9464 | 12.5437 | 13.1709 | 866.86 | 910.20 | 955.71 | 1003.50 | 1053.67 | 1884.64 | 1978.87 | 2077.81 | 2181.71 | 2290.78 |
| 126.0 | 11.1005 | 11.6555 | 12.2383 | 12.8502 | 13.4927 | 888.04 | 932.44 | 979.06 | 1028.02 | 1079.42 | 1930.69 | 2027.22 | 2128.57 | 2235.02 | 2346.77 |
| 126.5 | 11.3775 | 11.9464 | 12.5437 | 13.1709 | 13.8294 | 910.20 | 955.71 | 1003.50 | 1053.67 | 1106.35 | 1978.87 | 2077.81 | 2181.71 | 2290.78 | 2405.32 |
| 127.0 | 11.6555 | 12.2383 | 12.8502 | 13.4927 | 14.1673 | 932.44 | 979.06 | 1028.02 | 1079.42 | 1133.38 | 2027.22 | 2128.57 | 2235.02 | 2346.77 | 2464.08 |
| 127.5 | 11.9464 | 12.5437 | 13.1709 | 13.8294 | 14.5209 | 955.71 | 1003.50 | 1053.67 | 1106.35 | 1161.67 | 2077.81 | 2181.71 | 2290.78 | 2405.32 | 2525.59 |
| 128.0 | 12.2383 | 12.8502 | 13.4927 | 14.1673 | 14.8757 | 979.06 | 1028.02 | 1079.42 | 1133.38 | 1190.06 | 2128.57 | 2235.02 | 2346.77 | 2464.08 | 2587.31 |
| 128.5 | 12.5437 | 13.1709 | 13.8294 | 14.5209 | 15.2469 | 1003.50 | 1053.67 | 1106.35 | 1161.67 | 1219.75 | 2181.71 | 2290.78 | 2405.32 | 2525.59 | 2651.86 |
| 129.0 | 12.8502 | 13.4927 | 14.1673 | 14.8757 | 15.6195 | 1028.02 | 1079.42 | 1133.38 | 1190.06 | 1249.56 | 2235.02 | 2346.77 | 2464.08 | 2587.31 | 2716.67 |
| 129.5 | 13.1709 | 13.8294 | 14.5209 | 15.2469 | 16.0092 | 1053.67 | 1106.35 | 1161.67 | 1219.75 | 1280.74 | 2290.78 | 2405.32 | 2525.59 | 2651.86 | 2784.46 |
| 130.0 | 13.4927 | 14.1673 | 14.8757 | 15.6195 | 16.4005 | 1079.42 | 1133.38 | 1190.06 | 1249.56 | 1312.04 | 2346.77 | 2464.08 | 2587.31 | 2716.67 | 2852.51 |
| 130.5 | 13.8294 | 14.5209 | 15.2469 | 16.0092 | 16.8097 | 1106.35 | 1161.67 | 1219.75 | 1280.74 | 1344.78 | 2405.32 | 2525.59 | 2651.86 | 2784.46 | 2923.69 |

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

SCHEDULE B-2
FIREFIGHTERS

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
EFFECTIVE 10/04/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 208.0 | 6.6077 | 6.9381 | 7.2850 | 7.6493 | 8.0318 | 740.06 | 777.07 | 815.92 | 856.72 | 899.56 | 1608.96 | 1689.43 | 1773.89 | 1862.59 | 1955.73 |
| 209.0 | 6.9381 | 7.2850 | 7.6493 | 8.0318 | 8.4334 | 777.07 | 815.92 | 856.72 | 899.56 | 944.54 | 1689.43 | 1773.89 | 1862.59 | 1955.73 | 2053.52 |
| 210.0 | 7.2850 | 7.6493 | 8.0318 | 8.4334 | 8.8551 | 815.92 | 856.72 | 899.56 | 944.54 | 991.77 | 1773.89 | 1862.59 | 1955.73 | 2053.52 | 2156.21 |
| 210.5 | 7.4673 | 7.8407 | 8.2327 | 8.6443 | 9.0765 | 836.34 | 878.16 | 922.06 | 968.16 | 1016.57 | 1818.29 | 1909.21 | 2004.65 | 2104.88 | 2210.12 |
| 211.0 | 7.6493 | 8.0318 | 8.4334 | 8.8551 | 9.2979 | 856.72 | 899.56 | 944.54 | 991.77 | 1041.36 | 1862.59 | 1955.73 | 2053.52 | 2156.21 | 2264.02 |
| 211.5 | 7.8407 | 8.2327 | 8.6443 | 9.0765 | 9.5303 | 878.16 | 922.06 | 968.16 | 1016.57 | 1067.39 | 1909.21 | 2004.65 | 2104.88 | 2210.12 | 2320.61 |
| 212.0 | 8.0318 | 8.4334 | 8.8551 | 9.2979 | 9.7628 | 899.56 | 944.54 | 991.77 | 1041.36 | 1093.43 | 1955.73 | 2053.52 | 2156.21 | 2264.02 | 2377.23 |
| 212.5 | 8.2327 | 8.6443 | 9.0765 | 9.5303 | 10.0068 | 922.06 | 968.16 | 1016.57 | 1067.39 | 1120.76 | 2004.65 | 2104.88 | 2210.12 | 2320.61 | 2436.64 |
| 213.0 | 8.4334 | 8.8551 | 9.2979 | 9.7628 | 10.2509 | 944.54 | 991.77 | 1041.36 | 1093.43 | 1148.10 | 2053.52 | 2156.21 | 2264.02 | 2377.23 | 2496.08 |
| 213.5 | 8.6443 | 9.0765 | 9.5303 | 10.0068 | 10.5071 | 968.16 | 1016.57 | 1067.39 | 1120.76 | 1176.80 | 2104.88 | 2210.12 | 2320.61 | 2436.64 | 2558.48 |
| 214.0 | 8.8551 | 9.2979 | 9.7628 | 10.2509 | 10.7634 | 991.77 | 1041.36 | 1093.43 | 1148.10 | 1205.50 | 2156.21 | 2264.02 | 2377.23 | 2496.08 | 2620.88 |
| 214.5 | 9.0765 | 9.5303 | 10.0068 | 10.5071 | 11.0325 | 1016.57 | 1067.39 | 1120.76 | 1176.80 | 1235.64 | 2210.12 | 2320.61 | 2436.64 | 2558.48 | 2686.40 |

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 112
MONTHLY SALARY = BI-WKLY RATE X 2.1741

EXHIBIT "B-2"

SCHEDULE C-2
POLICE PERSONNEL

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
EFFECTIVE 10/04/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 308.0 | 10.4502 | 10.9727 | 11.5213 | 12.0974 | 12.7023 | 836.02 | 877.82 | 921.70 | 967.79 | 1016.18 | 1817.59 | 1908.47 | 2003.87 | 2104.07 | 2209.28 |
| 309.0 | 10.9727 | 11.5213 | 12.0974 | 12.7023 | 13.3374 | 877.82 | 921.70 | 967.79 | 1016.18 | 1066.99 | 1908.47 | 2003.87 | 2104.07 | 2209.28 | 2319.74 |
| 310.0 | 11.5213 | 12.0974 | 12.7023 | 13.3374 | 14.0043 | 921.70 | 967.79 | 1016.18 | 1066.99 | 1120.34 | 2003.87 | 2104.07 | 2209.28 | 2319.74 | 2435.73 |
| 311.0 | 12.0974 | 12.7023 | 13.3374 | 14.0043 | 14.7045 | 967.79 | 1016.18 | 1066.99 | 1120.34 | 1176.36 | 2104.07 | 2209.28 | 2319.74 | 2435.73 | 2557.52 |
| 312.0 | 12.7023 | 13.3374 | 14.0043 | 14.7045 | 15.4397 | 1016.18 | 1066.99 | 1120.34 | 1176.36 | 1235.18 | 2209.28 | 2319.74 | 2435.73 | 2557.52 | 2685.40 |
| 313.0 | 13.3374 | 14.0043 | 14.7045 | 15.4397 | 16.2117 | 1066.99 | 1120.34 | 1176.36 | 1235.18 | 1296.94 | 2319.74 | 2435.73 | 2557.52 | 2685.40 | 2819.68 |

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

EXHIBIT "C-2"

SCHEDULE D-2
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
EFFECTIVE 10/04/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 409.0 | 4.8430 | 5.0852 | 5.3395 | 5.6065 | 5.8868 | 387.44 | 406.82 | 427.16 | 448.52 | 470.94 | 842.33 | 884.47 | 928.69 | 975.13 | 1023.87 |
| 410.0 | 5.0852 | 5.3395 | 5.6065 | 5.8868 | 6.1811 | 406.82 | 427.16 | 448.52 | 470.94 | 494.49 | 884.47 | 928.69 | 975.13 | 1023.87 | 1075.07 |
| 410.5 | 5.2123 | 5.4729 | 5.7465 | 6.0338 | 6.3355 | 416.98 | 437.83 | 459.72 | 482.70 | 506.84 | 906.56 | 951.89 | 999.48 | 1049.44 | 1101.92 |
| 411.0 | 5.3395 | 5.6065 | 5.8868 | 6.1811 | 6.4902 | 427.16 | 448.52 | 470.94 | 494.49 | 519.22 | 928.69 | 975.13 | 1023.87 | 1075.07 | 1128.84 |
| 411.5 | 5.4729 | 5.7465 | 6.0338 | 6.3355 | 6.6523 | 437.83 | 459.72 | 482.70 | 506.84 | 532.18 | 951.89 | 999.48 | 1049.44 | 1101.92 | 1157.01 |
| 412.0 | 5.6065 | 5.8868 | 6.1811 | 6.4902 | 6.8147 | 448.52 | 470.94 | 494.49 | 519.22 | 545.18 | 975.13 | 1023.87 | 1075.07 | 1128.84 | 1185.28 |
| 412.5 | 5.7465 | 6.0338 | 6.3355 | 6.6523 | 6.9849 | 459.72 | 482.70 | 506.84 | 532.18 | 558.79 | 999.48 | 1049.44 | 1101.92 | 1157.01 | 1214.87 |
| 413.0 | 5.8868 | 6.1811 | 6.4902 | 6.8147 | 7.1554 | 470.94 | 494.49 | 519.22 | 545.18 | 572.43 | 1023.87 | 1075.07 | 1128.84 | 1185.28 | 1244.52 |
| 413.5 | 6.0338 | 6.3355 | 6.6523 | 6.9849 | 7.3341 | 482.70 | 506.84 | 532.18 | 558.79 | 586.73 | 1049.44 | 1101.92 | 1157.01 | 1214.87 | 1275.61 |
| 414.0 | 6.1811 | 6.4902 | 6.8147 | 7.1554 | 7.5132 | 494.49 | 519.22 | 545.18 | 572.43 | 601.06 | 1075.07 | 1128.84 | 1185.28 | 1244.52 | 1306.76 |
| 414.5 | 6.3355 | 6.6523 | 6.9849 | 7.3341 | 7.7008 | 506.84 | 532.18 | 558.79 | 586.73 | 616.06 | 1101.92 | 1157.01 | 1214.87 | 1275.61 | 1339.38 |
| 415.0 | 6.4902 | 6.8147 | 7.1554 | 7.5132 | 7.8889 | 519.22 | 545.18 | 572.43 | 601.06 | 631.11 | 1128.84 | 1185.28 | 1244.52 | 1306.76 | 1372.10 |
| 415.5 | 6.6523 | 6.9849 | 7.3341 | 7.7008 | 8.0858 | 532.18 | 558.79 | 586.73 | 616.06 | 646.86 | 1157.01 | 1214.87 | 1275.61 | 1339.38 | 1406.34 |
| 416.0 | 6.8147 | 7.1554 | 7.5132 | 7.8889 | 8.2833 | 545.18 | 572.43 | 601.06 | 631.11 | 662.66 | 1185.28 | 1244.52 | 1306.76 | 1372.10 | 1440.69 |
| 416.5 | 6.9849 | 7.3341 | 7.7008 | 8.0858 | 8.4901 | 558.79 | 586.73 | 616.06 | 646.86 | 679.21 | 1214.87 | 1275.61 | 1339.38 | 1406.34 | 1476.67 |
| 417.0 | 7.1554 | 7.5132 | 7.8889 | 8.2833 | 8.6975 | 572.43 | 601.06 | 631.11 | 662.66 | 695.80 | 1244.52 | 1306.76 | 1372.10 | 1440.69 | 1512.74 |
| 417.5 | 7.3341 | 7.7008 | 8.0858 | 8.4901 | 8.9146 | 586.73 | 616.06 | 646.86 | 679.21 | 713.17 | 1275.61 | 1339.38 | 1406.34 | 1476.67 | 1550.50 |
| 418.0 | 7.5132 | 7.8889 | 8.2833 | 8.6975 | 9.1324 | 601.06 | 631.11 | 662.66 | 695.80 | 730.59 | 1306.76 | 1372.10 | 1440.69 | 1512.74 | 1588.38 |
| 418.5 | 7.7008 | 8.0858 | 8.4901 | 8.9146 | 9.3603 | 616.06 | 646.86 | 679.21 | 713.17 | 748.82 | 1339.38 | 1406.34 | 1476.67 | 1550.50 | 1628.01 |
| 419.0 | 7.8889 | 8.2833 | 8.6975 | 9.1324 | 9.5890 | 631.11 | 662.66 | 695.80 | 730.59 | 767.12 | 1372.10 | 1440.69 | 1512.74 | 1588.38 | 1667.80 |
| 419.5 | 8.0858 | 8.4901 | 8.9146 | 9.3603 | 9.8283 | 646.86 | 679.21 | 713.17 | 748.82 | 786.26 | 1406.34 | 1476.67 | 1550.50 | 1628.01 | 1709.41 |
| 420.0 | 8.2833 | 8.6975 | 9.1324 | 9.5890 | 10.0685 | 662.66 | 695.80 | 730.59 | 767.12 | 805.48 | 1440.69 | 1512.74 | 1588.38 | 1667.80 | 1751.19 |
| 420.5 | 8.4901 | 8.9146 | 9.3603 | 9.8283 | 10.3197 | 679.21 | 713.17 | 748.82 | 786.26 | 825.58 | 1476.67 | 1550.50 | 1628.01 | 1709.41 | 1794.89 |
| 421.0 | 8.6975 | 9.1324 | 9.5890 | 10.0685 | 10.5719 | 695.80 | 730.59 | 767.12 | 805.48 | 845.75 | 1512.74 | 1588.38 | 1667.80 | 1751.19 | 1838.75 |
| 421.5 | 8.9146 | 9.3603 | 9.8283 | 10.3197 | 10.8357 | 713.17 | 748.82 | 786.26 | 825.58 | 866.86 | 1550.50 | 1628.01 | 1709.41 | 1794.89 | 1884.64 |
| 422.0 | 9.1324 | 9.5890 | 10.0685 | 10.5719 | 11.1005 | 730.59 | 767.12 | 805.48 | 845.75 | 888.04 | 1588.38 | 1667.80 | 1751.19 | 1838.75 | 1930.69 |
| 422.5 | 9.3603 | 9.8283 | 10.3197 | 10.8357 | 11.3775 | 748.82 | 786.26 | 825.58 | 866.86 | 910.20 | 1628.01 | 1709.41 | 1794.89 | 1884.64 | 1978.87 |
| 423.0 | 9.5890 | 10.0685 | 10.5719 | 11.1005 | 11.6555 | 767.12 | 805.48 | 845.75 | 888.04 | 932.44 | 1667.80 | 1751.19 | 1838.75 | 1930.69 | 2027.22 |
| 423.5 | 9.8283 | 10.3197 | 10.8357 | 11.3775 | 11.9464 | 786.26 | 825.58 | 866.86 | 910.20 | 955.71 | 1709.41 | 1794.89 | 1884.64 | 1978.87 | 2077.81 |
| 424.0 | 10.0685 | 10.5719 | 11.1005 | 11.6555 | 12.2383 | 805.48 | 845.75 | 888.04 | 932.44 | 979.06 | 1751.19 | 1838.75 | 1930.69 | 2027.22 | 2128.57 |
| 424.5 | 10.3197 | 10.8357 | 11.3775 | 11.9464 | 12.5437 | 825.58 | 866.86 | 910.20 | 955.71 | 1003.50 | 1794.89 | 1884.64 | 1978.87 | 2077.81 | 2181.71 |
| 425.0 | 10.5719 | 11.1005 | 11.6555 | 12.2383 | 12.8502 | 845.75 | 888.04 | 932.44 | 979.06 | 1028.02 | 1838.75 | 1930.69 | 2027.22 | 2128.57 | 2235.02 |
| 425.5 | 10.8357 | 11.3775 | 11.9464 | 12.5437 | 13.1709 | 866.86 | 910.20 | 955.71 | 1003.50 | 1053.67 | 1884.64 | 1978.87 | 2077.81 | 2181.71 | 2290.78 |
| 426.0 | 11.1005 | 11.6555 | 12.2383 | 12.8502 | 13.4927 | 888.04 | 932.44 | 979.06 | 1028.02 | 1079.42 | 1930.69 | 2027.22 | 2128.57 | 2235.02 | 2346.77 |
| 426.5 | 11.3775 | 11.9464 | 12.5437 | 13.1709 | 13.8294 | 910.20 | 955.71 | 1003.50 | 1053.67 | 1106.35 | 1978.87 | 2077.81 | 2181.71 | 2290.78 | 2405.32 |
| 427.0 | 11.6555 | 12.2383 | 12.8502 | 13.4927 | 14.1673 | 932.44 | 979.06 | 1028.02 | 1079.42 | 1133.38 | 2027.22 | 2128.57 | 2235.02 | 2346.77 | 2464.08 |
| 427.5 | 11.9464 | 12.5437 | 13.1709 | 13.8294 | 14.5209 | 955.71 | 1003.50 | 1053.67 | 1106.35 | 1161.67 | 2077.81 | 2181.71 | 2290.78 | 2405.32 | 2525.59 |

EXHIBIT "D-2"

SCHEDULE D-2
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

# CITY OF MODESTO
## SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
## EFFECTIVE 10/04/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 428.0 | 12.2383 | 12.8502 | 13.4927 | 14.1673 | 14.8757 | 979.06 | 1028.02 | 1079.42 | 1133.38 | 1190.06 | 2128.57 | 2235.02 | 2346.77 | 2464.08 | 2587.31 |
| 428.5 | 12.5437 | 13.1709 | 13.8294 | 14.5209 | 15.2469 | 1003.50 | 1053.67 | 1106.35 | 1161.67 | 1219.75 | 2181.71 | 2290.78 | 2405.32 | 2525.59 | 2651.86 |
| 429.0 | 12.8502 | 13.4927 | 14.1673 | 14.8757 | 15.6195 | 1028.02 | 1079.42 | 1133.38 | 1190.06 | 1249.56 | 2235.02 | 2346.77 | 2464.08 | 2587.31 | 2716.67 |
| 429.5 | 13.1709 | 13.8294 | 14.5209 | 15.2469 | 16.0092 | 1053.67 | 1106.35 | 1161.67 | 1219.75 | 1280.74 | 2290.78 | 2405.32 | 2525.59 | 2651.86 | 2784.46 |
| 430.0 | 13.4927 | 14.1673 | 14.8757 | 15.6195 | 16.4005 | 1079.42 | 1133.38 | 1190.06 | 1249.56 | 1312.04 | 2346.77 | 2464.08 | 2587.31 | 2716.67 | 2852.51 |
| 430.5 | 13.8294 | 14.5209 | 15.2469 | 16.0092 | 16.8097 | 1106.35 | 1161.67 | 1219.75 | 1280.74 | 1344.78 | 2405.32 | 2525.59 | 2651.86 | 2784.46 | 2923.69 |
| 431.0 | 14.1673 | 14.8757 | 15.6195 | 16.4005 | 17.2205 | 1133.38 | 1190.06 | 1249.56 | 1312.04 | 1377.64 | 2464.08 | 2587.31 | 2716.67 | 2852.51 | 2995.13 |
| 431.5 | 14.5209 | 15.2469 | 16.0092 | 16.8097 | 17.6502 | 1161.67 | 1219.75 | 1280.74 | 1344.78 | 1412.02 | 2525.59 | 2651.86 | 2784.46 | 2923.69 | 3069.87 |
| 432.0 | 14.8757 | 15.6195 | 16.4005 | 17.2205 | 18.0815 | 1190.06 | 1249.56 | 1312.04 | 1377.64 | 1446.52 | 2587.31 | 2716.67 | 2852.51 | 2995.13 | 3144.88 |
| 432.5 | 15.2469 | 16.0092 | 16.8097 | 17.6502 | 18.5327 | 1219.75 | 1280.74 | 1344.78 | 1412.02 | 1482.62 | 2651.86 | 2784.46 | 2923.69 | 3069.87 | 3223.36 |
| 433.0 | 15.6195 | 16.4005 | 17.2205 | 18.0815 | 18.9856 | 1249.56 | 1312.04 | 1377.64 | 1446.52 | 1518.85 | 2716.67 | 2852.51 | 2995.13 | 3144.88 | 3302.13 |
| 433.5 | 16.0092 | 16.8097 | 17.6502 | 18.5327 | 19.4593 | 1280.74 | 1344.78 | 1412.02 | 1482.62 | 1556.74 | 2784.46 | 2923.69 | 3069.87 | 3223.36 | 3384.51 |
| 434.0 | 16.4005 | 17.2205 | 18.0815 | 18.9856 | 19.9349 | 1312.04 | 1377.64 | 1446.52 | 1518.85 | 1594.79 | 2852.51 | 2995.13 | 3144.88 | 3302.13 | 3467.23 |
| 434.5 | 16.8097 | 17.6502 | 18.5327 | 19.4593 | 20.4323 | 1344.78 | 1412.02 | 1482.62 | 1556.74 | 1634.58 | 2923.69 | 3069.87 | 3223.36 | 3384.51 | 3553.74 |
| 435.0 | 17.2205 | 18.0815 | 18.9856 | 19.9349 | 20.9316 | 1377.64 | 1446.52 | 1518.85 | 1594.79 | 1674.53 | 2995.13 | 3144.88 | 3302.13 | 3467.23 | 3640.60 |
| 435.5 | 17.6502 | 18.5327 | 19.4593 | 20.4323 | 21.4539 | 1412.02 | 1482.62 | 1556.74 | 1634.58 | 1716.31 | 3069.87 | 3223.36 | 3384.51 | 3553.74 | 3731.43 |
| 436.0 | 18.0815 | 18.9856 | 19.9349 | 20.9316 | 21.9782 | 1446.52 | 1518.85 | 1594.79 | 1674.53 | 1758.26 | 3144.88 | 3302.13 | 3467.23 | 3640.60 | 3822.63 |
| 436.5 | 18.5327 | 19.4593 | 20.4323 | 21.4539 | 22.5266 | 1482.62 | 1556.74 | 1634.58 | 1716.31 | 1802.13 | 3223.36 | 3384.51 | 3553.74 | 3731.43 | 3918.01 |
| 437.0 | 18.9856 | 19.9349 | 20.9316 | 21.9782 | 23.0771 | 1518.85 | 1594.79 | 1674.53 | 1758.26 | 1846.17 | 3302.13 | 3467.23 | 3640.60 | 3822.63 | 4013.76 |
| 437.5 | 19.4593 | 20.4323 | 21.4539 | 22.5266 | 23.6529 | 1556.74 | 1634.58 | 1716.31 | 1802.13 | 1892.23 | 3384.51 | 3553.74 | 3731.43 | 3918.01 | 4113.90 |
| 438.0 | 19.9349 | 20.9316 | 21.9782 | 23.0771 | 24.2310 | 1594.79 | 1674.53 | 1758.26 | 1846.17 | 1938.48 | 3467.23 | 3640.60 | 3822.63 | 4013.76 | 4214.45 |
| 438.5 | 20.4323 | 21.4539 | 22.5266 | 23.6529 | 24.8355 | 1634.58 | 1716.31 | 1802.13 | 1892.23 | 1986.84 | 3553.74 | 3731.43 | 3918.01 | 4113.90 | 4319.59 |
| 439.0 | 20.9316 | 21.9782 | 23.0771 | 24.2310 | 25.4426 | 1674.53 | 1758.26 | 1846.17 | 1938.48 | 2035.41 | 3640.60 | 3822.63 | 4013.76 | 4214.45 | 4425.18 |
| 439.5 | 21.4539 | 22.5266 | 23.6529 | 24.8355 | 26.0773 | 1716.31 | 1802.13 | 1892.23 | 1986.84 | 2086.18 | 3731.43 | 3918.01 | 4113.90 | 4319.59 | 4535.56 |
| 440.0 | 21.9782 | 23.0771 | 24.2310 | 25.4426 | 26.7147 | 1758.26 | 1846.17 | 1938.48 | 2035.41 | 2137.18 | 3822.63 | 4013.76 | 4214.45 | 4425.18 | 4646.44 |
| 440.5 | 22.5266 | 23.6529 | 24.8355 | 26.0773 | 27.3812 | 1802.13 | 1892.23 | 1986.84 | 2086.18 | 2190.50 | 3918.01 | 4113.90 | 4319.59 | 4535.56 | 4762.37 |
| 529.0 | 13.6567 | 14.3395 | 15.0565 | 15.8093 | 16.5998 | 1092.54 | 1147.16 | 1204.52 | 1264.74 | 1327.98 | 2375.29 | 2494.04 | 2618.75 | 2749.67 | 2887.16 |
| 530.0 | 14.3395 | 15.0565 | 15.8093 | 16.5998 | 17.4298 | 1147.16 | 1204.52 | 1264.74 | 1327.98 | 1394.38 | 2494.04 | 2618.75 | 2749.67 | 2887.16 | 3031.52 |
| 531.0 | 15.0565 | 15.8093 | 16.5998 | 17.4298 | 18.3013 | 1204.52 | 1264.74 | 1327.98 | 1394.38 | 1464.10 | 2618.75 | 2749.67 | 2887.16 | 3031.52 | 3183.10 |
| 627.0 | 13.3581 | 14.0260 | 14.7273 | 15.4637 | 16.2369 | 1068.65 | 1122.08 | 1178.18 | 1237.10 | 1298.95 | 2323.35 | 2439.51 | 2561.48 | 2689.58 | 2824.05 |
| 627.5 | 13.6919 | 14.3765 | 15.0953 | 15.8501 | 16.6426 | 1095.35 | 1150.12 | 1207.62 | 1268.01 | 1331.41 | 2381.40 | 2500.48 | 2625.49 | 2756.78 | 2894.62 |
| 628.0 | 14.0260 | 14.7273 | 15.4637 | 16.2369 | 17.0487 | 1122.08 | 1178.18 | 1237.10 | 1298.95 | 1363.90 | 2439.51 | 2561.48 | 2689.58 | 2824.05 | 2965.25 |
| 628.5 | 14.3765 | 15.0953 | 15.8501 | 16.6426 | 17.4747 | 1150.12 | 1207.62 | 1268.01 | 1331.41 | 1397.98 | 2500.48 | 2625.49 | 2756.78 | 2894.62 | 3039.35 |
| 629.0 | 14.7273 | 15.4637 | 16.2369 | 17.0487 | 17.9011 | 1178.18 | 1237.10 | 1298.95 | 1363.90 | 1432.09 | 2561.48 | 2689.58 | 2824.05 | 2965.25 | 3113.51 |
| 629.5 | 15.0953 | 15.8501 | 16.6426 | 17.4747 | 18.3484 | 1207.62 | 1268.01 | 1331.41 | 1397.98 | 1467.87 | 2625.49 | 2756.78 | 2894.62 | 3039.35 | 3191.30 |
| 630.0 | 15.4637 | 16.2369 | 17.0487 | 17.9011 | 18.7962 | 1237.10 | 1298.95 | 1363.90 | 1432.09 | 1503.70 | 2689.58 | 2824.05 | 2965.25 | 3113.51 | 3269.19 |
| 630.5 | 15.8501 | 16.6426 | 17.4747 | 18.3484 | 19.2658 | 1268.01 | 1331.41 | 1397.98 | 1467.87 | 1541.26 | 2756.78 | 2894.62 | 3039.35 | 3191.30 | 3350.85 |
| 631.0 | 16.2369 | 17.0487 | 17.9011 | 18.7962 | 19.7360 | 1298.95 | 1363.90 | 1432.09 | 1503.70 | 1578.88 | 2824.05 | 2965.25 | 3113.51 | 3269.19 | 3432.64 |

SCHEDULE D-2
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
EFFECTIVE 10/04/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 631.5 | 16.6426 | 17.4747 | 18.3484 | 19.2658 | 20.2291 | 1331.41 | 1397.98 | 1467.87 | 1541.26 | 1618.33 | 2894.62 | 3039.35 | 3191.30 | 3350.85 | 3518.41 |
| 632.0 | 17.0487 | 17.9011 | 18.7962 | 19.7360 | 20.7228 | 1363.90 | 1432.09 | 1503.70 | 1578.88 | 1657.82 | 2965.25 | 3113.51 | 3269.19 | 3432.64 | 3604.27 |
| 632.5 | 17.4747 | 18.3484 | 19.2658 | 20.2291 | 21.2406 | 1397.98 | 1467.87 | 1541.26 | 1618.33 | 1699.25 | 3039.35 | 3191.30 | 3350.85 | 3518.41 | 3694.34 |
| 633.0 | 17.9011 | 18.7962 | 19.7360 | 20.7228 | 21.7589 | 1432.09 | 1503.70 | 1578.88 | 1657.82 | 1740.71 | 3113.51 | 3269.19 | 3432.64 | 3604.27 | 3784.48 |
| 633.5 | 18.3484 | 19.2658 | 20.2291 | 21.2406 | 22.3026 | 1467.87 | 1541.26 | 1618.33 | 1699.25 | 1784.21 | 3191.30 | 3350.85 | 3518.41 | 3694.34 | 3879.05 |

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

Schedule E-2
Unclassified Management and
Council Appointees

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR THE FY 83-84
Effective October 4, 1983

| | Rate | A | B | C | D | E |
|---|---|---|---|---|---|---|
| **Council Appointed** | | | | | | |
| City Manager | Hourly | | | | | 31.2402 |
| | Biweekly | | | | | 2,499.22 |
| | Monthly | | | | | 5,433.55 |
| City Attorney | Hourly | | | | | 26.5775 |
| | Biweekly | | | | | 2,126.20 |
| | Monthly | | | | | 4,622.57 |
| City Clerk and Auditor | Hourly | 14.5882 | 15.3176 | 16.0835 | 16.8877 | 17.7321 |
| | Biweekly | 1,167.06 | 1,225.41 | 1,286.68 | 1,351.02 | 1,418.57 |
| | Monthly | 2,537.31 | 2,664.16 | 2,797.37 | 2,937.25 | 3,084.11 |
| **Unclassified Management** | | | | | | |
| Deputy City Manager | Hourly | 21.8653 | 22.9585 | 24.1071 | 25.3118 | 26.5775 |
| | Biweekly | 1,749.22 | 1,836.68 | 1,928.57 | 2,024.94 | 2,126.20 |
| | Monthly | 3,802.99 | 3,993.13 | 4,192.90 | 4,402.43 | 4,622.57 |
| Director of Engineering Services | Hourly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Biweekly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | Monthly | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Director of Finance | Hourly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Biweekly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | Monthly | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Director of Management Services | Hourly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Biweekly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | Monthly | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Director of Parking and Traffic | Hourly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Biweekly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | Monthly | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |

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EXHIBIT "E-2"

SCHEDULE E-2 - Page 2
Unclassified Management and
Council Appointees
Salary Ranges Effective October 4, 1983

| | Rate | A | B | C | D | E |
|---|---|---|---|---|---|---|
| Unclassified Management (Cont'd.) | | | | | | |
| Director of Parks and Recreation | Hourly | 18.9923 | 19.9419 | 20.9390 | 21.9860 | 23.0853 |
| | Biweekly | 1,519.38 | 1,595.35 | 1,675.12 | 1,758.88 | 1,846.82 |
| | Monthly | 3,303.28 | 3,468.45 | 3,641.88 | 3,823.98 | 4,015.17 |
| Director of Planning and Community Development | Hourly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Biweekly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | Monthly | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Director of Utility Services | Hourly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Biweekly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | Monthly | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Fire Chief | Hourly | 18.5277 | 19.4541 | 20.4268 | 21.4481 | 22.5205 |
| | Biweekly | 1,482.22 | 1,556.33 | 1,634.14 | 1,715.85 | 1,801.64 |
| | Monthly | 3,222.49 | 3,383.62 | 3,552.78 | 3,730.43 | 3,916.95 |
| Chief of Police | Hourly | 21.5790 | 22.6580 | 23.7909 | 24.9804 | 26.2294 |
| | Biweekly | 1,726.32 | 1,812.64 | 1,903.27 | 1,998.43 | 2,098.35 |
| | Monthly | 3,753.19 | 3,940.86 | 4,137.90 | 4,344.79 | 4,562.03 |

SCHEDULE F-2
"Y" RATES

# CITY OF MODESTO
## SCHEDULE OF SALARY RANGES IN CITY SERVICE FOR FY 83/84
## EFFECTIVE 10/04/83

| | HOURLY | | | | | BI-WEEKLY | | | | | MONTHLY | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RANGE | A | B | C | D | E | A | B | C | D | E | A | B | C | D | E |
| 712.6 | 5.9319 | 6.2285 | 6.5399 | 6.8669 | 7.2102 | 474.55 | 498.28 | 523.19 | 549.35 | 576.82 | 1031.72 | 1083.31 | 1137.47 | 1194.34 | 1254.06 |
| 713.6 | 6.2285 | 6.5399 | 6.8669 | 7.2102 | 7.5707 | 498.28 | 523.19 | 549.35 | 576.82 | 605.66 | 1083.31 | 1137.47 | 1194.34 | 1254.06 | 1316.77 |
| 714.6 | 6.5399 | 6.8669 | 7.2102 | 7.5707 | 7.9492 | 523.19 | 549.35 | 576.82 | 605.66 | 635.94 | 1137.47 | 1194.34 | 1254.06 | 1316.77 | 1382.60 |
| 715.6 | 6.8669 | 7.2102 | 7.5707 | 7.9492 | 8.3467 | 549.35 | 576.82 | 605.66 | 635.94 | 667.74 | 1194.34 | 1254.06 | 1316.77 | 1382.60 | 1451.73 |
| 718.5 | 8.3467 | 8.7640 | 9.2022 | 9.6623 | 10.1454 | 667.74 | 701.12 | 736.18 | 772.98 | 811.63 | 1451.73 | 1524.30 | 1600.53 | 1680.54 | 1764.56 |
| 719.0 | 8.5506 | 8.9781 | 9.4270 | 9.8984 | 10.3933 | 684.05 | 718.25 | 754.16 | 791.87 | 831.46 | 1487.19 | 1561.55 | 1639.62 | 1721.60 | 1807.68 |
| 719.5 | 8.7640 | 9.2022 | 9.6623 | 10.1454 | 10.6527 | 701.12 | 736.18 | 772.98 | 811.63 | 852.22 | 1524.30 | 1600.53 | 1680.54 | 1764.56 | 1852.81 |
| 720.0 | 8.9781 | 9.4270 | 9.8984 | 10.3933 | 10.9130 | 718.25 | 754.16 | 791.87 | 831.46 | 873.04 | 1561.55 | 1639.62 | 1721.60 | 1807.68 | 1898.08 |
| 720.5 | 9.2022 | 9.6623 | 10.1454 | 10.6527 | 11.1853 | 736.18 | 772.98 | 811.63 | 852.22 | 894.82 | 1600.53 | 1680.54 | 1764.56 | 1852.81 | 1945.43 |
| 721.0 | 9.4270 | 9.8984 | 10.3933 | 10.9130 | 11.4587 | 754.16 | 791.87 | 831.46 | 873.04 | 916.70 | 1639.62 | 1721.60 | 1807.68 | 1898.08 | 1993.00 |
| 721.5 | 9.6623 | 10.1454 | 10.6527 | 11.1853 | 11.7446 | 772.98 | 811.63 | 852.22 | 894.82 | 939.57 | 1680.54 | 1764.56 | 1852.81 | 1945.43 | 2042.72 |
| 722.0 | 9.8984 | 10.3933 | 10.9130 | 11.4587 | 12.0316 | 791.87 | 831.46 | 873.04 | 916.70 | 962.53 | 1721.60 | 1807.68 | 1898.08 | 1993.00 | 2092.64 |
| 722.5 | 10.1454 | 10.6527 | 11.1853 | 11.7446 | 12.3318 | 811.63 | 852.22 | 894.82 | 939.57 | 986.54 | 1764.56 | 1852.81 | 1945.43 | 2042.72 | 2144.84 |

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

EXHIBIT "F-2"

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1983-84
(Effective 6-28-83)

| Range No. | Title of Classification |
|---|---|
| 114.5 | Account Clerk |
| 122.0 | Accountant I |
| 426.0 | Accountant II |
| 119.5 | Accounting Technician |
| 123.0 | Accounts Examiner |
| 426.0 | Administrative Analyst |
| 422.0 | Administrative Assistant |
| 429.0 | Airport Manager |
| 424.5 | Airport Maintenance Supervisor |
| 116.5 | Animal Control Officer I |
| 118.5 | Animal Control Officer II |
| 426.5 | Arborist |
| 633.0 | Assistant Chief of Police |
| 432.0 | Assistant City Attorney I |
| 435.0 | Assistant City Attorney II |
| 421.5 | Assistant City Clerk |
| 429.0 | Assistant Civil Engineer |
| 433.0 | Assistant Director of Parks & Recreation |
| 122.5 | Assistant Electrician |
| 426.0 | Assistant Planner |
| 428.0 | Assistant Property Agent |
| 427.0 | Assistant Risk Manager |
| 426.0 | Assistant Shop Supervisor |
| 432.0 | Associate Civil Engineer |
| 429.0 | Associate Planner |
| 426.0 | Budget Accountant |
| 122.0 | Building Inspector I |
| 125.0 | Building Inspector II |
| 426.5 | Building Maintenance Supervisor |
| 120.5 | Building Maintenance Worker |
| 434.0 | Chief Building Official |
| 429.0 | Chief Electrician |
| N/A | Chief of Police |
| 426.5 | Chief of Survey Party |
| N/A | City Attorney |
| N/A | City Clerk and Auditor |
| N/A | City Manager |
| 117.5 | Civil Engineering Technician I |
| 120.5 | Civil Engineering Technician II |
| 123.5 | Civil Engineering Technician III |
| 126.5 | Civil Engineering Technician IV |
| 113.5 | Clerk Typist |
| 713.6 | Clerk Typist (Y Rate) |
| 413.5 | Clerk Typist (Confidential) |
| 124.0 | Coach Mechanic |
| 122.0 | Code Enforcement Specialist |
| 422.0 | Collections Supervisor |
| 120.5 | Community Service Officer |
| 116.5 | Computer Operator |
| 125.0 | Construction Inspector |
| 427.0 | Cost Analyst |
| 123.0 | Crime Analyst |
| 114.5 | Data Entry Operator |
| 429.0 | Data Processing Manager |
| 427.0 | Deputy City Attorney I |
| 429.0 | Deputy City Attorney II |
| N/A | Deputy City Manager |
| 312.0 | Detective |
| N/A | Director of Engineering Services |
| N/A | Director of Finance |
| N/A | Director of Management Services |
| N/A | Director of Parking and Traffic |
| N/A | Director of Parks and Recreation |
| N/A | Director of Planning and Community Development |
| N/A | Director of Utility Services |
| 117.5 | Drafting Technician |

| Range No. | Title of Classification |
|---|---|
| 426.5 | Electrical Supervisor |
| 118.5 | Electrical Technician I |
| 120.5 | Electrical Technician II |
| 124.5 | Electrician |
| 127.0 | Engineering Computer Programmer |
| 122.5 | Equipment Crew Leader |
| 122.0 | Equipment Mechanic |
| 120.5 | Equipment Operator |
| 119.0 | Equipment Service worker |
| 118.5 | Evidence and Property Specialist |
| 419.5 | Executive Secretary |
| 430.0 | Finance Division Manager |
| 529.0 | Fire Battalion Chief |
| N/A | Fire Chief |
| 211.0 | Fire Engineer |
| 123.0 | Fire Equipment Mechanic |
| 210.0 | Fire Fighter |
| 208.0 | Fire Fighter Trainee |
| 213.0 | Fire Lieutenant |
| 120.5 | Fire Prevention Technician |
| 426.0 | Historical Buildings Supervisor |
| 120.5 | Housing Conservationist |
| 122.0 | Housing Financial Specialist |
| 432.0 | Housing Program Officer |
| 122.0 | Housing Rehabilitation Specialist I |
| 125.0 | Housing Rehabilitation Specialist II |
| 122.0 | Industrial Waste Inspector I |
| 125.0 | Industrial Waste Inspector II |
| 116.5 | Janitor |
| 122.5 | Janitor Supervisor |
| 126.0 | Junior Civil Engineer |
| 122.5 | Laboratory Technician |
| 113.5 | Laborer (Unclassified) |
| 426.0 | Landscape Designer |
| 126.0 | Lead Coach Mechanic |
| 124.0 | Lead Equipment Mechanic |
| 417.5 | Legal Secretary |

| Range No. | Title of Classification |
|---|---|
| 120.5 | Maintenance Mechanic |
| 120.5 | Maintenance Mechanic - Pumps |
| 116.5 | Maintenance Worker I |
| 118.5 | Maintenance Worker II |
| 113.5 | Maintenance Worker Trainee |
| 429.0 | Management Assistant |
| 120.5 | Meter Reader Repair Worker |
| 112.5 | Microfilm & Graphics Technician |
| 120.5 | Motor Sweeper Operator |
| 424.0 | Museum Supervisor |
| 122.5 | Nursery Propagator |
| 109.5 | Office Aide |
| 111.5 | Office Clerk |
| 411.5 | Office Clerk (Confidential) |
| 122.5 | Office Services Supervisor |
| 122.5 | Parking and Traffic Crew Leader |
| 429.0 | Parking and Traffic Superintendent |
| 120.5 | Parking Meter Worker |
| 120.5 | Parks Crew Leader |
| 720.5 | Parks Crew Leader (Y Rate) |
| 424.5 | Parks Maintenance Supervisor I |
| 426.5 | Parks Maintenance Supervisor II |
| 429.0 | Parks Superintendent |
| 432.0 | Personnel Manager |
| 421.5 | Personnel Technician |
| 126.5 | Plan Review Engineer |
| 426.5 | Plan Review Engineer (MGT Benefits) |
| 117.5 | Planning Technician I |
| 120.5 | Planning Technician II |
| 123.5 | Planning Technician III |
| 122.5 | Plant Mechanic |
| 424.5 | Plant Mechanical Maintenance Supervisor |
| 632.0 | Police Captain |
| 113.5 | Police Clerk |
| 630.0 | Police Lieutenant |

| Range No. | Title of Classification |
|---|---|
| 308.0 | Police Officer (Trainee Step) |
| 310.0 | Police Officer |
| 425.0 | Police Records Supervisor |
| 628.0 | Police Sergeant |
| 115.5 | Printing Services Operator |
| 113.5 | Printing Services Trainee |
| 123.0 | Programmer |
| 126.0 | Programmer Analyst |
| 426.0 | Programmer Analyst (MGT Benefits) |
| 430.0 | Property Agent |
| 116.5 | Property Control Aide |
| 124.0 | Public Services Inspector |
| 427.0 | Public Services Officer |
| 120.5 | Public Works Line Worker |
| 424.5 | Public Works Supervisor I |
| 426.5 | Public Works Supervisor II |
| 122.0 | Purchasing Assistant I |
| 124.0 | Purchasing Assistant II |
| 430.0 | Purchasing Officer |
| 112.5 | Receptionist |
| 712.6 | Receptionist (Y Rate) |
| 429.0 | Recreation Superintendent |
| 426.0 | Recreation Supervisor |
| 430.0 | Risk Manager |
| 417.5 | Risk Management Technician |
| 117.5 | Secretary |
| 417.5 | Secretary (Confidential) |
| 421.5 | Secretary to the City Attorney |
| 422.5 | Secretary to the City Manager |
| 116.5 | Senior Account Clerk |
| 428.0 | Senior Accountant |
| 126.5 | Senior Building Inspector |
| 119.5 | Senior Computer Operator |
| 419.5 | Senior Legal Secretary |
| 115.5 | Senior Microfilm & Graphics Technician |
| 416.5 | Senior Personnel Clerk |
| 423.5 | Senior Personnel Technician |
| 432.0 | Senior Planner |
| 115.5 | Senior Police Clerk |
| 118.5 | Senior Printing Services Operator |
| 120.5 | Senior Storeskeeper |
| 122.5 | Senior Wastewater Treatment Plant Operator |
| 416.5 | Senior Word Processing Technician |
| 429.0 | Shop Supervisor |
| 123.5 | Social Services Coordinator |
| 423.5 | Social Services Coordinator (MGT Benefits) |
| 114.5 | Stenographer Clerk |
| 118.5 | Storeskeeper |
| 428.5 | Supervising Building Inspector |
| 428.0 | Supervising Construction Inspector |
| 428.0 | Supervising Housing Rehabilitation Specialist |
| 429.0 | Transit Manager |
| 720.5 | Tree Trimmer (Y-Rate) |
| 120.5 | Tree Trimmer |
| 122.5 | Tree Trimmer Crew Leader |
| 424.5 | Warehouse Supervisor |
| 118.5 | Wastewater Treatment Plant Attendant |
| 120.5 | Wastewater Treatment Plant Operator |
| 426.5 | Wastewater Treatment Plant Supervisor |
| 432.0 | Water Quality Control Superintendent |
| 125.0 | Water System Inspector |
| 422.0 | Word Processing Supervisor |
| 114.5 | Word Processing Technician |
| 113.5 | Word Processing Trainee |
| 425.0 | Zoning Inspector |

Totals: 13 City Manager, Department Heads
179 Other

192

061683

MODESTO CITY COUNCIL
RESOLUTION NO. 83-427

A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN GROUP HEALTH AND DENTAL INSURANCE PREMIUM RATES OR PORTIONS THEREOF.

WHEREAS, the City of Modesto has a group health insurance plan for its employees and their dependents, and

WHEREAS, the City of Modesto has a group dental insurance plan for its employees and their dependents, and

WHEREAS, some employees of the City of Modesto, pursuant to provisions in Memoranda of Understanding, subscribe for health and dental insurance coverage under a group plan administered by the Operating Engineers Union Local No. 3, and

WHEREAS, some employees of the City of Modesto, pursuant to provisions in Memoranda of Understanding, subscribe for health and dental insurance coverage under a group plan administered by the California Federated Fire Fighters Association, and

WHEREAS, some employees of the City of Modesto subscribe for health insurance coverage under a group plan administered by the health maintenance organization TAKE CARE and dental insurance under the City's dental insurance plan, and

WHEREAS, the Council desires to set forth which of the premium rates or portions thereof charged by the various group health and dental insurance plans will be paid by the City of Modesto, and which will be paid by the employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. Effective June 28, 1983, the City of Modesto will pay the premium rates, for group health and dental insurance under the group health and dental insurance plans provided by the City of Modesto, as set forth on the chart marked Exhibit "A", attached hereto and made a part hereof.

2. Effective June 28, 1983, the City of Modesto will pay the premium rates, or portions thereof, for group health and dental insurance under the group insurance plan provided by the Operating Engineers Union Local No. 3, as set forth on the chart marked Exhibit "B", attached hereto and made a part hereof.

3. Effective June 28, 1983, the City of Modesto will pay the premium rates, or portions thereof, for group health and dental insurance under the group insurance plan provided by the California Federated Fire Fighters Association, as set forth on the chart marked Exhibit "C", attached hereto and made a part hereof.

4. Effective June 28, 1983, the City of Modesto will pay the premium rates, or portions thereof, for group health insurance under the group insurance plan provided by the health maintenance organization TAKE CARE and dental insurance under the City's dental insurance plan, as set forth on the chart marked Exhibit "D", attached hereto and made a part hereof.

5. Effective July 26, 1983, the City of Modesto will pay the premium rates, for group health and dental insurance under the group health and dental insurance plans provided by the City of Modesto, as set forth on the chart marked Exhibit "E", attached hereto and made a part hereof.

6. Effective July 26, 1983, the City of Modesto will pay the premium rates, or portions thereof, for group health and dental insurance under the group insurance plan provided by the Operating Engineers Union Local No. 3, as set forth on the chart marked Exhibit "F", attached hereto and made a part hereof.

3. Effective July 26, 1983, the City of Modesto will pay the premium rates, or portions thereof, for group health and dental insurance under the group insurance plan provided by the California Federated Fire Fighters Association, as set forth on the chart marked Exhibit "G", attached hereto and made a part hereof.

4. Effective July 26, 1983, the City of Modesto will pay the premium rates, or portions thereof, for group health insurance under the group insurance plan provided by the health maintenance organization TAKE CARE and dental insurance under the City's dental insurance plan, as set forth on the chart marked Exhibit "H", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that employees who want to subscribe for health and dental insurance coverage under the City's group health and dental insurance plans must subscribe for coverage under both of said plans; provided, however, that employees who want to subscribe for health insurance coverage under the group insurance plan provided by the health maintenance organization TAKE CARE shall subscribe for coverage under the City's group dental insurance plan.

BE IT FURTHER RESOLVED that this resolution supersedes all previous resolutions which provided for the payment of group health and dental insurance premium rates by the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

PREMIUM DISTRIBUTION
EFFECTIVE 6-28-83

City Self-Insured Plan

| Group | Plan | Employee Cost | City Cost | Total Cost | Deferred Compensation |
|---|---|---|---|---|---|
| POLICE (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 20.10 | $26.75 | $26.64 |
| | Combined | | | | |
| | Dental | - | 6.65 | | |
| | Health | - | 59.09 | 67.74 | |
| MISCELLANEOUS (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 18.02 | $24.67 | 33.37 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | - | 56.77 | 70.39 | |
| MANAGEMENT & CONF. (Except Police and Fire Management, but including the Fire Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 21.87 | $28.52 | 52.89 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | - | 67.79 | 81.41 | |
| FIRE (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 20.10 | $26.75 | |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | - | 61.35 | 74.97 | |
| POLICE MANAGEMENT (Including Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 20.10 | $26.75 | 45.96 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | - | 59.09 | 72.71 | |
| FIRE MANAGEMENT (Except Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 21.87 | $28.52 | 6.97 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | - | 67.79 | 81.41 | |

HEALTH & DENTAL INSURANCE
PREMIUM DISTRIBUTION
EFFECTIVE 6-28-83

OE #3 Health & Dental Plan

| Group | Plan | Employee Cost | City Cost | Total Cost |
|---|---|---|---|---|
| POLICE (Non-Management) | Employee | | | |
| | Dental | - | $ 6.65 | |
| | Health | 35.84 | 46.74 | $89.23 |
| | Combined | | | |
| | Dental | - | 6.65 | |
| | Health | 23.49 | 59.09 | 89.23 |
| MISCELLANEOUS (Non-Management) | Employee | | | |
| | Dental | - | $6.65 | |
| | Health | 31.19- | 51.39 | $89.43 |
| | Combined | | | |
| | Dental | - | 13.62 | |
| | Health | 18.34- | 56.77 | 89.23 |

HEALTH & DENTAL INSURANCE
PREMIUM DISTRIBUTION
EFFECTIVE 6-28-83

Federated Fire Fighters
Health & Dental Plan

| Group | Plan | Employee Cost | City Cost | Total Cost |
|---|---|---|---|---|
| FIRE (Non-Management) | Employee | | | |
| | Dental | | $ 6.65 | |
| | Health | 4.15 | 25.56 | $36.36 |
| (Spouse Only or Children Only) | Combined | | | |
| | Dental | - | 13.62 | |
| | Health | 9.53 | 61.35 | 84.50 |
| (Spouse & Children) | Combined | | | |
| | Dental | - | 13.62 | |
| | Health | 41.27 | 61.35 | 116.24 |

PREMIUM DISTRIBUTION
EFFECTIVE 6-28-83

Gould Take Care Health Plan with City Dental

| Group | Plan | Employee Cost | City Cost | Total Cost | Deferred Compensation |
|---|---|---|---|---|---|
| POLICE (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 34.79 | $41.44 | $11.95 |
| | Combined | | | | |
| | Dental | - | 6.65 | | |
| | Health | 25.15 | 59.09 | 90.89 | |
| MISCELLANEOUS (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 34.79 | $41.44 | 16.60 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 27.47 | 56.77 | 97.86 | |
| MANAGEMENT & CONF. (Except Police and Fire Management, but including the Fire Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 34.79 | $41.44 | 39.97 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 16.45- | 67.79 | 97.86 | |
| FIRE (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | 9.23- | 25.56 | $41.44 | |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 22.89 | 61.35 | 97.86 | |
| POLICE MANAGEMENT (Including Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 34.79 | $41.44 | 31.27 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 25.15 | 59.09 | 97.86 | |
| FIRE MANAGEMENT (Except Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | 5.95 | 28.84 | $41.44 | |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 16.45 | 67.79 | 97.86 | |

PREMIUM DISTRIBUTION
EFFECTIVE 7-26-83

City Self-Insured Plan

| Group | Plan | Employee Cost | City Cost | Total Cost | Deferred Compensation |
|---|---|---|---|---|---|
| POLICE (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 20.10 | $26.75 | 26.64 |
| | Combined | | | | |
| | Dental | - | 6.65 | | |
| | Health | - | 59.09 | 65.74 | |
| MISCELLANEOUS (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 21.87 | $28.52 | 40.54 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | - | 67.79 | 81.41 | |
| MANAGEMENT & CONF. (Except Police and Fire Management, but including the Fire Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 21.87 | $28.52 | 52.89 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | - | 67.79 | 81.41 | |
| FIRE (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 20.10 | $26.75 | |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | - | 61.35 | 74.97 | |
| POLICE MANAGEMENT (Including Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 20.10 | $26.75 | 45.96 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | - | 59.09 | 72.71 | |
| FIRE MANAGEMENT (Except Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 21.87 | $28.52 | 6.97 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | - | 67.79 | 81.41 | |

EFFECTIVE 7-26-83

OE #3 Health & Dental Plan

| Group | Plan | Employee Cost | City Cost | Total Cost | Deferred Compensation |
|---|---|---|---|---|---|
| POLICE (Non-Management) | Employee | | | | |
| | Dental | | $ 6.65 | | |
| | Health | 35.84 | 46.74 | $89.23 | |
| | Combined | | | | |
| | Dental | - | 6.65 | | |
| | Health | 23.49 | 59.09 | 89.23 | |
| MISCELLANEOUS (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | $20.17 | 62.41 | $89.23 | |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 7.82 | 67.79 | 89.23 | |

Federated Fire Fighters
Health & Dental Plan

| Group | Plan | Employee Cost | City Cost | Total Cost | Deferred Compensation |
|---|---|---|---|---|---|
| FIRE | Employee | | | | |
| (Non-Management) | Dental | - | $ 6.65 | | |
| | Health | 4.15 | 25.56 | $36.36 | |
| (Spouse Only or | Combined | | | | |
| Children Only) | Dental | - | 13.62 | | |
| | Health | 9.53 | 61.35 | 84.50 | |
| (Spouse & | Combined | | | | |
| Children) | Dental | - | 13.62 | | |
| | Health | 41.27 | 61.35 | 116.24 | |

PREMIUM DISTRIBUTION
EFFECTIVE 7-26-83

Gould Take-Care Plan with
City Dental

| Group | Plan | Employee Cost | City Cost | Total Cost | Deferred Compensation |
|---|---|---|---|---|---|
| POLICE (Non-Management) | Employee | | | | |
| | Dental | | $ 6.65 | | |
| | Health | - | 34.79 | $41.44 | 11.95 |
| | Combined | | | | |
| | Dental | - | 6.65 | | |
| | Health | 25.15 | 59.09 | 90.89 | |
| MISCELLANEOUS (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 34.79 | $41.44 | 27.62 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 16.45 | 67.79 | 97.86 | |
| MANAGEMENT & CONF. (Except Police and Fire Management, but including the Fire Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 34.79 | $41.44 | 39.97 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 16.45 | 67.79 | 97.86 | |
| FIRE (Non-Management) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | 9.23- | 25.56 | $41.44 | |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 22.89 | 61.35 | 97.86 | |
| POLICE MANAGEMENT (Including Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | - | 34.79 | $41.44 | 31.27 |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 25.15 | 59.09 | 97.86 | |
| FIRE MANAGEMENT (Except Chief) | Employee | | | | |
| | Dental | - | $ 6.65 | | |
| | Health | 5.95 | 28.84 | $41.44 | |
| | Combined | | | | |
| | Dental | - | 13.62 | | |
| | Health | 16.45 | 67.79 | 97.86 | |

MODESTO CITY COUNCIL
RESOLUTION NO. 83-428

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF DRYDEN GOLF COURSE MAINTENANCE FACILITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of Dryden Golf Course maintenance facility

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 19, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 19 83, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-429

A RESOLUTION ACCEPTING THE BID OF GENSTAR CEMENT AND LIME COMPANY FOR FURNISHING ANNUAL REQUIREMENTS OF READY-MIXED CONCRETE

WHEREAS, Resolution No. 83-338, adopted by the Council of the City of Modesto on May 24, 1983, approved the plans and specifications for the purchase of annual requirements of ready-mixed concrete and authorized the calling for bids; and

WHEREAS, the bids received for the annual requirements of ready-mixed concrete were opened at 2:00 p.m. on June 14, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Genstar Cement and Lime Company in the amount of $15,000 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Genstar Cement and Lime Company in the amount of $15,000 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-430

A RESOLUTION ACCEPTING THE BID OF GOLDEN STATE EQUIPMENT COMPANY FOR FURNISHING ONE BRUSH CHIPPER

WHEREAS, Resolution No.83-225, adopted by the Council of the City of Modesto on April 19, 1983, approved the plans and specifications for the purchase of one bruch chipper and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of one brush chipper were opened at 2:00 p.m. on May 17, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Golden State Equipment Company in the amount of $13,530 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Golden State Equipment Company in the amount of $13,530 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 19 83, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-431

A RESOLUTION ACCEPTING THE BID OF THOMAS AND ASSOCIATES FOR FURNISHING ONE EMERGENCY PUMP

WHEREAS, Resolution No. 83-337, adopted by the Council of the City of Modesto on May 24, 1983, approved the plans and specifications for the purchase of one emergency pump and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of one emergency pump were opened at 2:00 p.m. on June 21, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Thomas and Associates in the amount of $29,453 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Thomas and Associates in the amount of $29,453 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 19 83, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-432

A RESOLUTION REJECTING BIDS FOR LANDSCAPE MAINTENANCE SERVICE TO CITY TRAFFIC ISLANDS, POLICE GROUNDS AND CITY HALL GROUNDS

WHEREAS, Resolution No. 83-284, adopted by the Council of the City of Modesto on May 10, 1983, approved the plans and specifications for furnishing landscape maintenance services, and authorized the call for bids; and

WHEREAS, the bids received for furnishing landscape maintenance services were opened at 2:20 p.m. on May 31, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the bids received for landscape maintenance to traffic islands, Police grounds, and City Hall grounds, were higher than what staff feels it can be done for "in house", and therefore recommends the Parks staff maintain these three areas themselves.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for landscape maintenance service to City traffic islands, Police grounds, and City Hall grounds, and opened in the office of the City Clerk on May 31, 1983, are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-433

A RESOLUTION ACCEPTING THE BID OF CONTINENTAL LANDSCAPE FOR LANDSCAPE MAINTENANCE TO CITY PUMP STATIONS

WHEREAS, Resolution No.83-284, adopted by the Council of the City of Modesto on May 10, 1983, approved the plans and specifications for the purchase of landscape maintenance services and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of landscape maintenance services were opened at 2:20 p.m. on May 31, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Continental Landscape in the amount of $1,710.00 per month be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Continental Landscape in the amount of $1,710.00 per month be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-434

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING JANITORIAL SERVICES AT AMERICAN LEGION HALL, AND OPENED IN THE OFFICE OF THE CITY CLERK ON JUNE 7, 1983 AT 2:20 P.M. AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 83-301, adopted by the Council of the City of Modesto on May 17, 1983, approved the plans and specifications for furnishing janitorial services at American Legion Hall, and authorized the call for bids; and

WHEREAS, the bids received for furnishing janitorial services at American Legion Hall were opened at 2:20 p.m. on June 7, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the proposal of the sole bidder was felt to exceed reasonable estimates, and because the specifications for the service may have been too restrictive, new specifications have been developed to allow for more competitive bidding.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for furnishing janitorial services at American Legion Hall, and opened in the office of the City Clerk on June 7, 1983, are hereby rejected.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that new call for bids for furnishing janitorial services at American Legion Hall to be opened July 19, 1983, at 2:00 p.m., is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Whiteside , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO. 83-435**

**A RESOLUTION ACCEPTING THE** REROOFING OF CORPORATION YARD BUILDINGS BY CENTRAL VALLEY ROOFING AS COMPLETE

**WHEREAS, a repcrt has been filed by the** Director of Engineering **that the** reroofing of Corporation Yard buildings **has been ccmpleted by** Central Valley Roofing **in accordance with the contract agreement dated** September 28, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the** reroofing of Corporation Yard building **be accepted from said contractor,** Central Valley Roofing;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $41,349.36 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 28th **day of** June, **19** 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Judy Q. Hall
JUDY Q. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-436

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF GAS AND DIESEL FROM THE SOURCE WITH THE BEST AVAILABLE PRICE OR FROM ANY OTHER SOURCE AVAILABLE IN THE EVENT OF RESTRICTED SUPPLIES

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of gas and diesel for the 1983-84 fiscal year, is hereby waived.

BE IT FURTHER RESOLVED that purchase of gas and diesel from the source with the best available price or from any other source available in the event of restricted supplies, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Whiteside , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-437

A RESOLUTION CERTIFYING TO THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS THE AMOUNT OF MONEY NEEDED BY THE CITY OF MODESTO FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS OF THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1.

WHEREAS, pursuant to Section 4614.13 of the Health and Safety Code, notice is required to be given on or before the 15th day of July of each year by the City of Modesto to the Board of Supervisors of the County of Stanislaus of the amount of money needed to be raised through taxation for the payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1, and

WHEREAS, pursuant to Section 4614.13 of the Health and Safety Code, the City of Modesto has determined that the total amount needed by it for the payment of principal and interest on the bonds of the Modesto Municipal Sewer District No. 1 is $447,480.00, and

WHEREAS, the City of Modesto desires that the Board of Supervisors of the County of Stanislaus levy and collect taxes upon the taxable property in said Modesto Municipal Sewer District No. 1 sufficient to raise the amount which is so certified, and that the County Auditor, in accordance with Section 4614.13, compute the rate of taxation needed to raise the sum of $447,480.00 for the payment of principal and interest on the bonds of said district,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, in accordance with the above-mentioned Section 4614.13 of the Health and Safety Code, that it does hereby certify to the Board of Supervisors of the County of Stanislaus that the amount of $447,480.00 is needed by the City of Modesto for the payment of principal and interest on the bonds of the Modesto Municipal Sewer District No. 1.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it requires the Board of Supervisors of the County of Stanislaus to levy and collect taxes upon the taxable property in said Modesto Municipal Sewer District No. 1 sufficient to raise the amount of $447,480.00 and that it requests the County Auditor of said county to compute the rate of taxation needed to raise the sum of $447,480.00 for the payment of principal and interest on the bonds of said district.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-438

A RESOLUTION AUTHORIZING REIMBURSEMENT FROM THE CITY OF MODESTO SCHOOL SITE AND FACILITIES TAX FUND TO THE EMPIRE UNION ELEMENTARY SCHOOL DISTRICT OF $811.00 IN ESCROW COSTS.

WHEREAS, by Resolution No. 83-219, adopted on April 12, 1983, this Council authorized the use of School Site and Facilities Tax Funds for acquisition of property by the Empire Union Elementary School District from Eldon and Elaine Kidd for expansion of the Teel Senior Elementary School site, and

WHEREAS, the amount authorized by said resolution to be paid for said acquisition did not include escrow costs, and

WHEREAS, the Empire Union Elementary School District has requested reimbursement of escrow costs for said acquisition,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes reimbursement from the City of Modesto School Site and Facilities Tax Fund to the Empire Union Elementary School District for the following escrow costs for the acquisition of property from Eldon and Elaine Kidd for expansion of the Teel Senior Elementary School Site:

| | |
|---|---|
| Title Insurance | $515.00 |
| Preparing Deed | 40.00 |
| Escrow Fee | 246.00 |
| Monument Fee | 10.00 |
| Total | $811.00 |

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly

seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-439

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $1,449.00 FROM CONTINGENCY RESERVE TO EMPIRE SENIOR ELEMENTARY TO COVER ADDITIONAL PARCEL MAP AND ESCROW FEES FOR SCHOOL EXPANSION

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Contingency Reserve (61.04 8911 12) | $1,449.00 |
| TO: | Empire Senior Elementary (6262.00 7101 12) | $1,449.00 |

To cover additional parcel map and escrow fees for Empire Senior Elementary School expansion.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 28th **day of** June, 19 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-440

A RESOLUTION APPROVING THE REQUEST OF U.S. TIRE SALES AND SERVICE COMPANY FOR REFUND OF A $3,399.57 OVERPAYMENT OF MILL TAX

BE IT RESOLVED by the Council of the City of Modesto that the request of U.S. Tire Sales and Service Company for a refund of $3,399.57 overpayment of mill tax is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-441

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $7,000 FROM MCHENRY MANSION RESERVE ACCOUNT TO THE MCHENRY MANSION RESTORATION CAPITAL ACCOUNT

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | McHenry Mansion Reserve Account (6104.00) | $7,000 |
| TO: | McHenry Mansion Restoration Account (6276.00) | $7,000 |

Transfer is necessary due to change order and inspection fees for the McHenry Mansion, First Floor, Phase II Project.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 28th **day of** June, 1983, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. - 83-442

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR 1982-83 TO PROVIDE FOR THE ESTABLISHMENT OF VARIOUS RESERVES AND AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE THE NECESSARY APPROPRIATION ADJUSTMENTS TO ESTABLISH SAID RESERVES PRIOR TO CLOSING THE BOOKS OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1983

WHEREAS, it is necessary to establish various reserves to comply with the provisions of Article XIII B of the State Constitution, and

WHEREAS, the appropriations to establish said reserves must be made prior to the closing of the City of Modesto's books for fiscal year 1982-83,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following reserves be established in the annual budget of the City of Modesto for the fiscal year 1982-83 and that the amounts of said reserves, including necessary adjustments to current appropriations, be as set forth below or as determined by the Director of Finance in accordance with the following:

Fund No. 01 - General Fund

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Sewer Fund Loan - An amount of $1,964,792 to supplement capital financing in the Sewer Fund No. 62, by loan or direct contribution.

Reserve for Operating Contingencies - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for

employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Exigency Reserve - The amount of $600,000 is reserved for unforeseen exigencies arising from the operations of the City of Modesto.

Fund No. 05 - Local Transportation

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount available to fund projects approved but not yet appropriated.

Fund No. 07 - Special Gas Tax Improvement

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Fund No. 09 - Downtown Improvement District

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Operating Contingencies - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount available to finance approved projects which will be appropriated in the 1983-84 fiscal year.

Fund No. 11 - HCDA Title 1/Housing

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Operating Contingencies - The fund balance not appropriated or reserved for other specified purposes to insure funding for tne various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Reserve for Loan Programs - The amount available to support all loan programs including contracted obligations with Crocker National Bank.

Fund No. 12 - School Site and Facilities

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount available to fund projects approved but not yet appropriated.

Fund No. 13 - Special Fund for Capital Outlays

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are

scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Land Acquisition and Capital Needs - The fund balance not appropriated or reserved for other specified purposes to be reserved for capital needs and land acquisition.

Fund No. 14 - Park

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Fund No. 15 - Parks and Recreation Facilities

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in tne following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount available to fund projects approved but not yet appropriated.

Fund No. 16 - In Lieu Parking

Reserve for Operating Contingencies - The fund balance not appropriated or reserved for other specified purposes.

Fund No. 17 - State Parks and Recreation

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in tne 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount available to fund projects approved but not yet appropriated.

Fund No. 18 - McHenry Mansion

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Contingency Reserve for Pending Projects - The amount available to fund projects approved but not yet appropriated.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Fund No. 20 - Revenue Sharing

Contingency Reserve for Pending Projects - The amount available to fund projects approved but not yet appropriated.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Reserve for Transportation Center - The amount of $500,000 is reserved for the Transportation Center project appropriated in the Bus Service Fund, Fund No. 65.

Fund No. 60 - Parking

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Operating Contingencies - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Fund No. 61 - Water

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount available to fund projects approved but not yet appropriated.

Exigency Reserve - The amount of $600,000 is reserved for unforeseen exigencies arising from the operations of the Water Enterprise.

Reserve for Operating Contingencies - The fund balance not appropriated or reserved for other specified purposes to

insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Fund No. 62 - Sewer

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount available to fund projects approved but not yet appropriated.

Reserve for Operating Contingencies - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Fund No. 63 - Airport

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Operating Contingencies - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Fund No. 64 - Special Aviation

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount available to fund projects approved but not yet appropriated.

Fund No. 65 - Bus Service

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Reserve for Operating Contingencies - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Fund No. 89 - Tuolumne River Regional Park

Reserve for Encumbrances - A reserve equal to the outstanding encumbrances at the end of the fiscal year which are scheduled for reappropriation in the following year. Amount to be determined when 1982-83 fiscal year books are closed.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Contingency Reserve for Pending Projects - The amount available to fund projects approved but not yet appropriated.

Reserve for Operating Contingencies - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Fund No. 26 - 1967 Sewer Bond

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1982-83 fiscal year but which will be reappropriated in the 1983-84 fiscal year.

Fund No. 27 - 1967 Sewer Bond Service

Reserve for Bond Retirement - The amount accumulated to provide for the "call" of outstanding bonds before maturity.

BE IT FURTHER RESOLVED that said reserves are established as restrictions against fund balances in the General Ledger Accounts of the City of Modesto available for appropriation in 1983-84 fiscal year, and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-443

A RESOLUTION AUTHORIZING INVESTMENT OF CITY MONIES IN LOCAL AGENCY INVESTMENT FUND.

WHEREAS, pursuant to Section 16429.1 of the California Government Code there is a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer, and

WHEREAS, the City Council does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purposes of investment as stated therein is in the best interests of the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby authorize the deposit and withdrawal of City monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein.

BE IT FURTHER RESOLVED that the following City officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund: Pete Brock, Director of Finance; W. A. Young, Acting Director of Finance; and Pete Kolf, Acting Director of Finance.

BE IT FURTHER RESOLVED that this resolution supersedes Resolution No. 77-193 adopted on February 14, 1977.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-444

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT AGREEMENT FOR FEDERAL FUNDING TO RECONSTRUCT GENERAL AVIATION AIRCRAFT PARKING APRON AT THE MODESTO CITY-COUNTY AIRPORT

WHEREAS, on April 26, 1983, the City Council authorized the staff to submit an application for a Federal grant in the amount of $171,000, to reconstruct a portion of the general aviation aircraft parking apron; and

WHEREAS , the Federal Aviation Administration (FAA) has forwarded the grant agreement for final City processing.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the submission of a grant application for federal funds in the amount of $171,000 to reconstruct approximately 17,000 square yards of general aviation aircraft parking apron, including drainage, tie-downs, and marking at the Modesto City-County Airport be, and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-445

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATION CREATED. The Position Classification Plan of the City of Modesto is hereby amended to create the following new classification:

Street Trees Crew Leader

The specification for the classification created, as shown on the attached Exhibit "A", which is hereby made a part of this resolution by reference, is hereby approved and made a part of the Position Classification Plan of the City of Modesto.

SECTION 2. CLASSIFICATIONS AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to amend the specifications for the following classifications, as shown on Exhibits "B", "C", "D" and "E", which are hereby made a part of this resolution by reference and are hereby approved and made a part of the Position Classification Plan of the City of Modesto:

Tree Trimmer

Housing Rehabilitation Specialist I

Housing Rehabilitation Specialist II

Housing Conservationist

Police Officer

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

# STREET TREES CREW LEADER

## DEFINITION

Under general supervision, to serve as lead worker and participate in the work of a crew involved with the maintenance and upkeep of street trees or trees on City property; to operate related equipment necessary to accomplish this work; and to do related work as required.

## EXAMPLES OF DUTIES

Leads, assigns work to, and participates in the work of a crew that does selective pruning of young trees to establish permanent branching structures; plants young trees in subdivisions and replants trees in all areas where necessary during the planting season; makes tree supporting stakes; sprays and injects pesticides for the management of pests and diseases; operates the root cutting machine.

## SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

## EMPLOYMENT STANDARDS

Knowledge of:

- Methods, tools, materials, equipment, and supplies used in street tree maintenance work;
- Operation of a variety of street tree maintenance equipment;
- Tools, materials, equipment used in pruning, pest and disease management, and tree planting;
- Safe working practices and procedures.

and

Ability to:

- Lead, assign work to, and participate in the work of a crew performing a wide variety of maintenance on street trees or trees on City property;
- Repair, construct and maintain tree supporting stakes;
- Use hand and power tools in performing the repairs and building of tree stakes, pesticides, and chemical injecting;
- Perform heavy manual labor, meaning lifting, carrying fifty (50) to one hundred (100) pounds of weight;
- Maintain records and prepare reports;
- Adapt to changing safety requirements;
- Understand and carry out oral and written instructions;
- Meet the public to answer questions asked related to their work;
- Establish and maintain cooperative working relationships.

and

Exhibit "A"

*Experience:*

One (1) year in the class of Maintenance Worker II in the City of Modesto, preferably with experience by assignment to parks, trees, or golf course maintenance work.

or

Three (3) years of increasingly responsible experience in trees, parks, landscaping, or golf course maintenance work, preferably with a public agency.

# TREE TRIMMER

## DEFINITION

Under general supervision, to perform semi-skilled and skilled maintenance work on street trees or trees on City property; to operate related equipment necessary to accomplish this work; and to do related work as required.

## EXAMPLES OF DUTIES

Incumbents in this class perform semi-skilled tree maintenance and trimming work, primarily on the ground, under supervision. However, work will also require working high off the ground to relieve Tree Trimmer Crew Leaders.

Chips and loads brush; operates and maintains a variety of hand and power equipment, including stump removal machines, chippers, chain saws, hydraulic saws, hand saws, electric drills, dump trucks, hedge shears, tree injectors, tree cables and bolts, and root cutters; patches or cauterizes tree wounds; bolts and cables tree limbs; performs tree operations safely and with minimal disruption to homeowners; plants young trees in subdivisions and replants trees in all areas where necessary during the planting season; makes tree supporting stakes; sprays and injects pesticides for the management of pests and diseases; climbs trees using rope and spurs where necessary to perform high tree work.

## SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

## EMPLOYMENT STANDARDS

Knowledge of:

- Tools, maintenance, equipment and procedures used in street tree maintenance work;
- Operation of a variety of street tree maintenance equipment;
- Tools, materials, equipment used in pruning, pest and disease management, and tree planting;
- Safe working practices.

and

Ability to:

- Use ropes, spurs and other tree trimming tools and equipment;
- Repair, construct and maintain tree supporting stakes;
- Use hand and power tools in performing the repairs and building of tree stakes, pesticides, and chemical injecting;
- Perform heavy manual labor, meaning lifting, carrying fifty (50) to one hundred (100) pounds of weight;
- Read and write at a level required for successful job performance;
- Understand and carry out oral and written instructions;
- Maintain cooperative working relationships;
- Meet the public to answer questions asked related to their work.

and

Exhibit "B"

*Experience:*

*Three (3) years experience in trees, parks, landscaping or golf course maintenance work, preferably with a public agency.*

or

One (1) year in the class of Maintenance Worker II in the City of Modesto, preferably with experience by assignment to parks, trees, or golf course maintenance work.

# HOUSING REHABILITATION SPECIALIST I
# HOUSING REHABILITATION SPECIALIST II

## DEFINITION

Under general supervision, to provide professional and technical assistance to property owners participating in the City of Modesto housing program; and to do related work as required.

## DISTINGUISHING CHARACTERISTICS

Housing Rehabilitation Specialist I and II are distinguished by the Housing Rehabilitation Specialist II performing duties at the fully qualified working level. When the employee's employment history shows eighteen (18) months of satisfactory performance as a Housing Rehabilitation Specialist I, he/she will be promoted to Housing Rehabilitation Specialist II.

## EXAMPLES OF DUTIES

Makes field inspections of dwellings of potential participants in the housing program; prepares specifications for work to be performed; drafts and checks plans; assists property owners in preparing bids and soliciting bidders; reviews bids and assists owners in selection of contractors; works with property owners and contractors to develop suitable agreements; oversees and inspects work performed if requested by property owner.

## SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

Those appointed as Housing Rehabilitation Specialist I shall serve a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Knowledge of:

State and county laws, codes and ordinances relating to building construction and zoning;
Types of building materials and variations in their quality;
Modern methods of building construction and rehabilitation;
Principles and techniques of building inspection;
Principles and techniques of rehabilitation;
Principles and techniques of real estate appraisal.

and

Exhibit "C"

Ability to:

Interpret provisions of applicable codes, ordinances, and regulations enforceable by the City;
Apply technical knowledge of building trades work;
Use sound inspection methods to examine workmanship and materials, and to detect deviations from plans, specifications, and standard installation practices;
Prepare work specifications for rehabilitation ;
Accurately estimate the cost of material and labor for potential rehabilitation work;
Relate to individuals of various socio-economic levels;
Read and interpret diagrams, plans, and specifications;
Make arithmetic computations rapidly and accurately;
Maintain cooperative working relationships with engineers, architects, contractors, and the general public.

and

Experience:

For Housing Rehabilitation Specialist I
Three (3) years of full time experience in the building trades, involving work done in conformance with standard building, electrical and/or plumbing codes.

or

Two (2) years full-time experience with a public agency or public housing/rehabilitation program as an inspector, conservationist, or closely related class.

For Housing Rehabilitation Specialist II
Eighteen (18) months as a Housing Rehabilitation Specialist I with the City of Modesto.

or

Four (4) years experience with a public agency or public housing/rehabilitation program as an inspector, conservationist, or closely related class.

# HOUSING CONSERVATIONIST

## DEFINITION

Under general supervision, to initiate and maintain contact with property owners and residents interested or eligible for rehabilitation program; to relocate participants as required; to supervise Housing Counselors; to maintain demographic information and assist in grant administration; and to do related work as required.

## EXAMPLES OF DUTIES

Make initial contact with property owners and residents in Neighborhood Improvement Area; arrange housing code inspections by building inspection Division; facilitate relocation of program participants, including rent disbursements; assist Neighborhood Advisory Committees and other housing committees as directed; supervise housing advisors, collect and maintain demographic information on program participants; prepare Grantee Performance Report as directed, Environmental Review, Housing Assistance Plan and other reports as necessary by Grant requirements.

## SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

Those appointed shall serve twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Knowledge of:

- Basic statistical and record-keeping methods
- Landlord tenant regulations
- Applicable health and safety standards
- Federal, state and local housing programs and grants

and

Ability to:

- Foster cooperative working relationship with public
- Relate to minority and lower income persons and groups
- Speak and write clearly
- Perform statistical operation and evaluation
- Maintain records and prepare reports

and

**Exhibit "D"**



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*Experience and Education:*

Two years of full-time employment experience in a position working with the public in a financial lending institution, real estate office, housing program, or other comparable positions.

Two (2) years completed at an accredited university or college may be substituted for one (1) year of the required experience. An academic year is defined as 30 semester or 45 quarter units.

# POLICE OFFICER

## DEFINITION

Under general supervision, to carry out assignments in the enforcement of law and order; to protect life and property; to make investigations of criminal offenses; and to do related work as required.

## EXAMPLES OF DUTIES

Operates an automobile, motorcycle, or walks an assigned area for the prevention of crime and the enforcement of laws and regulations; intervenes in private or public disputes to protect the public and maintain order; issues citations; gives verbal warnings; makes arrests; at the scene of disorder or crime, administers first aid, conducts preliminary investigations, gathers evidence, takes statements from witnesses, and takes photographs; transports prisoners; interrogates suspectsand prisoners; collects and preserves evidence; writes a log of activities, case reports and action taken; prepares reports on arrests and property impounded; testifies in court on or off-duty; directs traffic; controls traffic at scenes of emergencies; notes and reports traffic hazards; inspects establishments serving alcoholic beverages as to their compliance with legal requirements; participates in training conferences and programs, and practices the safe use of firearms; makes presentations to schools and clubs, operates radar equipment, conducts traffic surveys, and may act as escort for funerals, special equipment and dignitaries; serves subpoenas; searches files for information on assigned cases; maintains stakeouts; when assigned, investigates violations of federal, state and local laws, criminal cases, accidents, offenses and damages to property; interviews persons with complaints and inquiries and attempts proper disposition or directs them to appropriate authorities and otherwise assists the public; occasionally relieves or acts in the place of a superior officer.

## SPECIAL REQUIREMENTS

License: Possession of a valid California Class 3 driver's license.

Age: Must be twenty-one (21) at time of final filing of application.

Vision: 20/70 in each eye corrected to 20/20 and free from color deficiency and permanent or progressive eye abnormalities.

Hearing: Normal.

Physical Condition: Be found, after examination by a licensed physician and surgeon, to be free from any physical, emotional or mental condition that might adversely affect his/her exercise of the powers of a peace officer. Weight and height must be proportional in the normal range for applicant's age. Must pass physical agility test.

Background: Prior to appointment, be of good moral character as determined by a thorough background investigation.

*Citizenship:* *Be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship.*

Probation: All those appointed shall complete an eighteen (18) month probation. A police officer on probationary status shall complete the California Peace Officers Standards and Training basic course. Satisfactory performance and recommendation of the Chief of Police is required for regular status. Failure to comply with any of the above requirements will be grounds for release from the service during or at the close of the probationary period.

## EMPLOYMENT STANDARDS

Knowledge of:

English usage and spelling in written reports;
Basic mathematics;
American government and system of justice;
Urban social problems.

and

Ability to:

Exercise restraint and good judgment in a variety of emergency situations;
Demonstrate keen powers of observation and to remember names, faces, and details of incidents;
Analyze situations and adapt a quick, effective, and reasonable course of action giving due regard to the surrounding hazards and circumstances of such situation;
Use and care of small firearms safely;
Operate an automobile safely;
Write clear and accurate reports;
Read and understand departmental rules, instructions, policies, and standards;
Read and understand appropriate municipal, state and federal laws, codes and regulations;
Apply criminal investigation techniques and procedures;
Understand and follow oral and written directions;
Establish and maintain cooperative relationships with the public, law enforcement officers, officials, and others contacted during the course of work.

and

Education:

High school graduation (or possession of G.E.D.).

MODESTO CITY COUNCIL
RESOLUTION NO. 83-446

A RESOLUTION AMENDING EXHIBIT "G" OF RESOLUTION NO. 83-426 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 83-426. Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1983-84", attached to Resolution No. 83-426, is hereby amended as shown on the amended Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1983-84", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "G" adds the classification of Street Trees Crew Leader, Range 120.5.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
Judy C. Hall, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1983-84
(Effective 6-28-83, Amended 6-28-83)

| Range No. | Title of Classification |
|---|---|
| 114.5 | Account Clerk |
| 122.0 | Accountant I |
| 426.0 | Accountant II |
| 119.5 | Accounting Technician |
| 123.0 | Accounts Examiner |
| 426.0 | Administrative Analyst |
| 422.0 | Administrative Assistant |
| 429.0 | Airport Manager |
| 424.5 | Airport Maintenance Supervisor |
| 116.5 | Animal Control Officer I |
| 118.5 | Animal Control Officer II |
| 426.5 | Arborist |
| 633.0 | Assistant Chief of Police |
| 432.0 | Assistant City Attorney I |
| 435.0 | Assistant City Attorney II |
| 421.5 | Assistant City Clerk |
| 429.0 | Assistant Civil Engineer |
| 433.0 | Assistant Director of Parks & Recreation |
| 122.5 | Assistant Electrician |
| 426.0 | Assistant Planner |
| 428.0 | Assistant Property Agent |
| 427.0 | Assistant Risk Manager |
| 426.0 | Assistant Shop Supervisor |
| 432.0 | Associate Civil Engineer |
| 429.0 | Associate Planner |
| 426.0 | Budget Accountant |
| 122.0 | Building Inspector I |
| 125.0 | Building Inspector II |
| 426.5 | Building Maintenance Supervisor |
| 120.5 | Building Maintenance Worker |
| 434.0 | Chief Building Official |
| 429.0 | Chief Electrician |
| N/A | Chief of Police |
| 426.5 | Chief of Survey Party |
| N/A | City Attorney |
| N/A | City Clerk and Auditor |
| N/A | City Manager |
| 117.5 | Civil Engineering Technician I |
| 120.5 | Civil Engineering Technician II |
| 123.5 | Civil Engineering Technician III |
| 126.5 | Civil Engineering Technician IV |
| 113.5 | Clerk Typist |
| 713.6 | Clerk Typist (Y Rate) |
| 413.5 | Clerk Typist (Confidential) |
| 124.0 | Coach Mechanic |
| 122.0 | Code Enforcement Specialist |
| 422.0 | Collections Supervisor |
| 120.5 | Community Service Officer |
| 116.5 | Computer Operator |
| 125.0 | Construction Inspector |
| 427.0 | Cost Analyst |
| 123.0 | Crime Analyst |
| 114.5 | Data Entry Operator |
| 429.0 | Data Processing Manager |
| 427.0 | Deputy City Attorney I |
| 429.0 | Deputy City Attorney II |
| N/A | Deputy City Manager |
| 312.0 | Detective |
| N/A | Director of Engineering Services |
| N/A | Director of Finance |
| N/A | Director of Management Services |
| N/A | Director of Parking and Traffic |
| N/A | Director of Parks and Recreation |
| N/A | Director of Planning and Community Development |
| N/A | Director of Utility Services |
| 117.5 | Drafting Technician |

Exhibit "G"

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| Range No. | Title of Classification |
|---|---|
| 426.5 | Electrical Supervisor |
| 118.5 | Electrical Technician I |
| 120.5 | Electrical Technician II |
| 124.5 | Electrician |
| 127.0 | Engineering Computer Programmer |
| 122.5 | Equipment Crew Leader |
| 122.0 | Equipment Mechanic |
| 120.5 | Equipment Operator |
| 119.0 | Equipment Service Worker |
| 118.5 | Evidence and Property Specialist |
| 419.5 | Executive Secretary |
| 430.0 | Finance Division Manager |
| 529.0 | Fire Battalion Chief |
| N/A | Fire Chief |
| 211.0 | Fire Engineer |
| 123.0 | Fire Equipment Mechanic |
| 210.0 | Fire Fighter |
| 208.0 | Fire Fighter Trainee |
| 213.0 | Fire Lieutenant |
| 120.5 | Fire Prevention Technician |
| 426.0 | Historical Buildings Supervisor |
| 120.5 | Housing Conservationist |
| 122.0 | Housing Financial Specialist |
| 432.0 | Housing Program Officer |
| 122.0 | Housing Rehabilitation Specialist I |
| 125.0 | Housing Rehabilitation Specialist II |
| 122.0 | Industrial Waste Inspector I |
| 125.0 | Industrial Waste Inspector II |
| 116.5 | Janitor |
| 122.5 | Janitor Supervisor |
| 126.0 | Junior Civil Engineer |
| 122.5 | Laboratory Technician |
| 113.5 | Laborer (Unclassified) |
| 426.0 | Landscape Designer |
| 126.0 | Lead Coach Mechanic |
| 124.0 | Lead Equipment Mechanic |
| 417.5 | Legal Secretary |

| Range No. | Title of Classification |
|---|---|
| 120.5 | Maintenance Mechanic |
| 120.5 | Maintenance Mechanic - Pumps |
| 116.5 | Maintenance Worker I |
| 118.5 | Maintenance Worker II |
| 113.5 | Maintenance Worker Trainee |
| 429.0 | Management Assistant |
| 120.5 | Meter Reader Repair Worker |
| 112.5 | Microfilm & Graphics Technician |
| 120.5 | Motor Sweeper Operator |
| 424.0 | Museum Supervisor |
| 122.5 | Nursery Propagator |
| 109.5 | Office Aide |
| 111.5 | Office Clerk |
| 411.5 | Office Clerk (Confidential) |
| 122.5 | Office Services Supervisor |
| 122.5 | Parking and Traffic Crew Leader |
| 429.0 | Parking and Traffic Superintendent |
| 120.5 | Parking Meter Worker |
| 120.5 | Parks Crew Leader |
| 720.5 | Parks Crew Leader (Y Rate) |
| 424.5 | Parks Maintenance Supervisor I |
| 426.5 | Parks Maintenance Supervisor II |
| 429.0 | Parks Superintendent |
| 432.0 | Personnel Manager |
| 421.5 | Personnel Technician |
| 126.5 | Plan Review Engineer |
| 426.5 | Plan Review Engineer (MGT Benefits) |
| 117.5 | Planning Technician I |
| 120.5 | Planning Technician II |
| 123.5 | Planning Technician III |
| 122.5 | Plant Mechanic |
| 424.5 | Plant Mechanical Maintenance Supervisor |
| 632.0 | Police Captain |
| 113.5 | Police Clerk |
| 630.0 | Police Lieutenant |

| Range No. | Title of Classification |
|---|---|
| 308.0 | Police Officer (Trainee Step) |
| 310.0 | Police Officer |
| 425.0 | Police Records Supervisor |
| 628.0 | Police Sergeant |
| 115.5 | Printing Services Operator |
| 113.5 | Printing Services Trainee |
| 123.0 | Programmer |
| 126.0 | Programmer Analyst |
| 426.0 | Programmer Analyst (MGT Benefits) |
| 430.0 | Property Agent |
| 116.5 | Property Control Aide |
| 124.0 | Public Services Inspector |
| 427.0 | Public Services Officer |
| 120.5 | Public Works Line Worker |
| 424.5 | Public Works Supervisor I |
| 426.5 | Public Works Supervisor II |
| 122.0 | Purchasing Assistant I |
| 124.0 | Purchasing Assistant II |
| 430.0 | Purchasing Officer |
| 112.5 | Receptionist |
| 712.6 | Receptionist (Y Rate) |
| 429.0 | Recreation Superintendent |
| 426.0 | Recreation Supervisor |
| 430.0 | Risk Manager |
| 417.5 | Risk Management Technician |
| 117.5 | Secretary |
| 417.5 | Secretary (Confidential) |
| 421.5 | Secretary to the City Attorney |
| 422.5 | Secretary to the City Manager |
| 116.5 | Senior Account Clerk |
| 428.0 | Senior Accountant |
| 126.5 | Senior Building Inspector |
| 119.5 | Senior Computer Operator |
| 419.5 | Senior Legal Secretary |
| 115.5 | Senior Microfilm & Graphics Technician |
| 416.5 | Senior Personnel Clerk |
| 423.5 | Senior Personnel Technician |
| 432.0 | Senior Planner |
| 115.5 | Senior Police Clerk |
| 118.5 | Senior Printing Services Operator |
| 120.5 | Senior Storeskeeper |
| 122.5 | Senior Wastewater Treatment Plant Operator |
| 416.5 | Senior Word Processing Technician |
| 429.0 | Shop Supervisor |
| 123.5 | Social Services Coordinator |
| 423.5 | Social Services Coordinator (MGT Benefits) |
| 114.5 | Stenographer Clerk |
| 118.5 | Storeskeeper |
| 120.5 | Street Trees Crew Leader |
| 428.5 | Supervising Building Inspector |
| 428.0 | Supervising Construction Inspector |
| 428.0 | Supervising Housing Rehabilitation Specialist |
| 429.0 | Transit Manager |
| 720.5 | Tree Trimmer (Y-Rate) |
| 120.5 | Tree Trimmer |
| 122.5 | Tree Trimmer Crew Leader |
| 424.5 | Warehouse Supervisor |
| 118.5 | Wastewater Treatment Plant Attendant |
| 120.5 | Wastewater Treatment Plant Operator |
| 426.5 | Wastewater Treatment Plant Supervisor |
| 432.0 | Water Quality Control Superintendent |
| 125.0 | Water System Inspector |
| 422.0 | Word Processing Supervisor |
| 114.5 | Word Processing Technician |
| 113.5 | Word Processing Trainee |
| 425.0 | Zoning Inspector |

Totals: 13 City Manager, Department Heads
180 Other

193

MODESTO CITY COUNCIL
RESOLUTION NO. 83-447

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED MUNICIPAL REORGANIZATION TO THE CITY OF MODESTO DESCRIBED HEREIN AND DESIGNATED AS MC HENRY-DRY CREEK MUNICIPAL REORGANIZATION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO. (PETITION INITIATED)

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of land or registered voters residing within territory in the County of Stanislaus requesting the McHenry-Dry Creek Muncipal Reorganization to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated June 15, 1983, determined that said territory is inhabited and approved the initiation of proceedings for said Municipal Reorgamization to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed Municipal Reorganization if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed Municipal Reorganization in the proposal thereof submitted to the Commission are as set forth in the excerpt from page 7 of the application, which excerpt is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioner requesting said Municipal Reorganiztion as set forth in the application filed with the Commission is:

| Name | Address |
|---|---|
| Stewart Bradley | 3524 Merle Avenue<br>Modesto, California |

and

WHEREAS, the territory of the proposed Municipal Reorganization is situated in the County of Stanislaus, State of California, and has been designated as the McHenry-Dry Creek Municipal Reorganization to the City of Modesto, the exterior boundaries of which are set forth in the descriptions attached hereto as Exhibits C through I and are made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of said Municipal Reorganization,

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 2nd day of August, 1983, at the hour of 4:00 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said Municipal Reorganization, at which time and place any owner of land or registered voter residing within such territory and having any objections to the proposed Municipal Reorganization may appear before the Council of the City of Modesto and show cause why said Municipal Reorganization should not be so approved.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed Municipal Reorganization, and must give the name and address of the owner of land with the description and area of such property, in general terms, or the name and address of the registered voter.

2. The City Clerk shall cause a copy of this resolution to be published at least once in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publication shall be commenced at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
NORRINE COMLE, City Clerk
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By J. H. Butler
Engineering Services

FORMATION COMMISSION

RESOLUTION

Date: June 15, 1983 No. 83-19

Subject: McHenry-Dry Creek Municipal Reorganization to the City of Modesto

On motion of Commissioner Muratore, Seconded by Commissioner Cannella, and approved by the following vote,
Ayes: Commissioners: Muratore, Cannella, Garcia and Starn
Noes: Commissioners: --
Absent: Commissioners: Draper
Disqualified: Commissioners: --
Abstaining: Commissioners: Bates and Blom

THE FOLLOWING RESOLUTION WAS ADOPTED

WHEREAS, the Commission has conducted a public hearing on the proposed McHenry-Dry Creek Municipal Reorganization, which seeks the annexation of the territory within the McHenry-Dry Creek Fire Protection District to the City of Modesto.

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Find that, based on the Initial Study, the approval of the proposed McHenry-Dry Creek Municipal Reorganization will not have a significant effect on the environment if its boundaries are amended to exclude the unincorporated territory northeast of the intersection of Oakdale Road and Briggsmore Avenue included in the proposal;

2. Amend the boundaries of the proposal to exclude this territory, and order that a Negative Declaration be issued;

3. Find that: (1) the remaining territory is inhabited under the provisions of the Municipal Reorganization Act of 1977; (2) the approval of the proposal would contribute to governmental efficiency and the logical formation of the City of Modesto; (3) the residents of the affected territory could benefit from the services which would be provided or become available upon annexation; and (4) the proposal is consistent with all applicable local general plans;

4. Certify that it has considered the findings set forth in Commission Resolution Number 83-18, with respect to agricultural preserves, and stipulate that the need to ensure the affected preserves are provided with fire protection service justifies their inclusion in the proposal;

5. Designate the proposal as the McHenry-Dry Creek Municipal Reorganization to the City of Modesto;

6. Approve the proposal, subject to the condition that its boundaries be amended to include Stanislaus County Assessor's Parcel Number 68-1801-100 and all of Stanislaus County Assessor's Parcel Number 33-2218-274;

7. Designate the City of Modesto as the conducting authority, and direct its City Council to initiate reorganization proceedings; and

8. Stipulate that, in all subsequent proceedings, the proposal shall receive priority over the Sherwood Forest, Lincoln Estates, and Wycliffe Annexations should the Commission approve those proposals.

I hereby certify that the foregoing is a true and correct copy of a document on file in my office.

GARDNER L. HUTCHINS
Executive Officer, Stanislaus County
Local Agency Formation Commission

By _____ Deputy

Excerpt from Page 7 of the
PETITION FOR ANNEXATION TO ANNEX THE MC HENRY-
DRY CREEK FIRE PROTECTION DISTRICT TO THE
CITY OF MODESTO

1. We the undersigned registered voters hereby petition the Stanislaus County Local Agency Formation Commission to initiate preliminary proceedings for a municipal reorganization consisting of the annexation of all that territory within the McHenry-Dry Creek Fire Protection District to the City of Modesto.

2. This proposal is made pursuant to the Municipal Organization Act of 1977 (California Government Code, Sections 35,000, et. seq.).

3. The reason for the proposed municipal reorganization is to receive fire protection service from the City of Modesto.

4. The chief petitioners of the proposal are:

   A. Stewart Bradley
   3524 Merle Avenue
   Modesto, California

Exhibit "B"

June 23, 1983

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Scenic - Sonoma Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 23 and the North one-half of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as estabished by the Southwestern corner of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977, as Instrument 15057, Stanislaus County Records, said point being on the center line of Dry Creek, said point also being the Southwestern corner of the property conveyed to Jack E. Goodwin, et ux, by deed recorded January 6, 1977, as Instrument 35756, Stanislaus County Records;

1. thence along the existing City Limits on a Western line of said ADDITION (359), and the Western line of said Goodwin property, North 00°52'36" West, 435.73 feet, to a point on the former 40.00 foot wide Scenic Drive and a Southern line of the SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Southern line of ADDITION (285), North 89°00'21" West, 1203.36 feet, to a Southwestern corner of ADDITION (285);

3. thence continuing along the existing City Limits on a Western line of ADDITION (285), said line being the center line of Sonoma Avenue and the North-South quarter section line of said Sections 23 and 28, North 00°51'41" West, 861.11 feet, to the Southeastern corner of the SONOMA NO. 1 ADDITION (277), as per description filed October 20, 1971, as Instrument 40190, Stanislaus County Record;

4. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (277), the following bearings and distances, South 69°36'19" West, 187.27 feet;

5. thence North 84°54'41" West, 583.94 feet;

6. thence South 83°11'19" West, 428.36 feet, to the Southeastern corner of the SCENIC VILLAGE ADDITION (187), as per description filed March 24, 1966, as Instrument 10379, Stanislaus County Records;

7. thence continuing along the existing City Limits on a Southern line of said ADDITION (187), South 83°11'19" West, 220.49 feet;

Exhibit "C"

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8. thence continuing along the existing City Limits on a Southern line of ADDITION (187), North 74°53'41" West, 397.37 feet, to the Northeastern corner of the SCENIC-OAKDALE ADDITION (371), as per description filed April 5, 1978, as Instrument 63080, Stanislaus County Records;

9. thence continuing along the existing City Limits on the Eastern line of said ADDITION (371), South 00°56'11" West, 763.66 feet, to the Southeast corner of ADDITION (371), and a point on the center line of 50.00 foot Scenic Drive and a point on a Northern line of the SCENIC-OAKDALE NO. 3 ANNEXATION (452), as per description filed December 30, 1982, as Instrument 34239, Stanislaus County Records;

10. thence continuing along the existing City Limits on the Northern and Eastern boundaries of said ANNEXATION (452), the following bearings and distances, South 67°01'41" East, 96.82 feet;

11. thence Easterly along a tangent curve concave to the North, having a Radius of 572.96 feet, a Central Angle of 21°47'48" and an Arc Length of 217.97 feet;

12. thence along a tangent line, South 88°49'29" East, 355.37 feet;

13. thence leaving the center line of Scenic Drive, South 00°13'29" East, 408.93 feet, to a point on a Northern line of the DRY CREEK PARK NO. 3 ADDITION (313), as per description filed January 21, 1974, as Instrument 27802, Stanislaus County Records;

14. thence continuing along the existing City Limits on the Northeastern boundary of said ADDITION (313), the following bearings and distances, North 85°57'31" East, 149.40 feet;

15. thence South 00°13'29" East, 130.00 feet;

16. thence South 51°11' East, 340.00 feet;

17. thence South 41°32'47" East, 198.31 feet;

18. thence South 33°07'30" East, 99.20 feet;

19. thence South 20°05'54" East, 139.11 feet;

20. thence South 00°13'31" East, 200.00 feet, to a point on a Northern line of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

21. thence continuing along the existing City Limits on the Northern boundary of said ADDITION (228), the following bearings and distances, South 89°57'25" East, 280.38 feet;

22. thence South 56°49'35" East, 299.55 feet, to the Northwestern corner of the DRY CREEK PARK NO. 4 GOVERNMENTAL REORGANIZATION (428), as per description filed September 24, 1980. as Instrument 18720, Stanislaus County Records;

23. thence continuing along the existing City Limits on the Northern boundary of said GOVERNMENTAL REORGANIZATION (428), the following bearings and distances, South 75°30'00" East, 344.32 feet;

24. thence North 72°30'00" East, 297.00 feet;

25. thence North 47°30'00" East, 231.00 feet;

26. thence North 21°45'00" East, 660.00 feet;

27. thence North 31°30'00" East, 231.00 feet;

28. thence North 54°45'00" East, 37.20 feet, to the point of beginning, containing 92.587 Acres, more or less.

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Sherwood Forest Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as estabished by the Northwestern corner of the HARTE TRACT ADDITION (223), as per description filed October 18, 1968, as Instrument 33012, Stanislaus County Records, said point being on the most Eastern boundary of the CROCCO ADDITION (171), as per description filed March 17, 1965, as Instrument 10620, Stanislaus County Records;

1. thence along the existing City Limits on said Eastern boundary of ADDITION (171), North 00°47'00" West, 895.13 feet, to the Northeastern corner of ADDITION (171);

2. thence continuing along the existing City Limits on the Northern boundary of ADDITION (171), North 89°23'20" West, 1129.00 feet, to a Southeastern corner of the McHENRY ADDITION (241), as per description filed October 9, 1959, as Instrument 33951, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Eastern line of ADDITION (241), North 00°47'30" West, 395.50 feet, to the Northeastern corner of ADDITION (241), said point also being the Southwestern corner of the NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), as per description filed April 15, 1981, as Instrument 61596, Stanislaus County Records, said point being also the center line of 60.00 foot Robin Hood Drive;

4. thence continuing along the existing City Limits on a Southern line of GOVERNMENT REORGANIZATION (435), said line being a non-tangent curve concave to the Southwest, having a Radius of 670.00 feet, a Central Angle of 17°15'15" and an Arc Length of 201.77 feet, to a point of reverse curvature from which point a radial line bears North 28°57'30" East;

5. thence continuing along the existing City Limits along said Southerly boundary of GOVERNMENTAL REORGANIZATION (435), on said reverse curve concave to the Northeast, having a Radius of 530.00 feet, a Central Angle of 10°59'12" and an Arc Length of 101.63 feet, to the most Southerly corner of GOVERNMENTAL REORGANIZATION (435), from which point a radial line bears North 17°58'18" East;

6. thence continuing along the existing City Limits on an Eastern line of GOVERNMENTAL REORGANIZATION (435), and the center line of a 20.00 foot alley, North 00°47'30" West, 129.80 feet;

7. thence continuing along the existing City Limits on a Southern line of GOVERNMENTAL REORGANIZATION (435), and the center line of a 20.00 alley, South 89°23'20" East, 190.32 feet, to the Southeastern corner of GOVERNMENTAL REORGANIZATION (435);

8. thence leaving the existing City Limits and continuing along the center line of the East-West alley in Block 12321 of the SHERWOOD FOREST Subdivision, as per map filed August 13, 1956 in Volume 18 of Maps, Page 56, Stanislaus County Records, South 89°23'20" East, 658.94 feet, to a point on the center line of 60.00 foot Doncaster Lane and a point on the Western line of the SHERWOOD FOREST NO. 2 ADDITION (451), as per description filed June 21, 1982, as Instrument 28536, Stanislaus County Records;

9. thence along the existing City Limits on said Western line of ADDITION (451), South 00°47'00" East, 10.01 feet, to the Southwestern corner of ADDITION (451);

10. thence continuing along the existing City Limits on the Southern line of ADDITION (451), and the Northern line of said Sherwood Forest Subdivision, South 89°23'20" East, 1318.76 feet, to a point on the Western line of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1961, as Instrument 29023, Stanislaus County Records;

11. thence continuing along the existing City Limits on said Western line of ADDITION (275), South 00°46'00" East, 159.54 feet, to the Northwestern corner of the CRESTWOOD TERRACE NO. 2 ADDITION (162), as per description filed March 24, 1964, as Instrument 11958, Stanislaus County Records;

12. thence continuing along the existing City Limits on the Western line of ADDITION (162), South 00°46'00" East, 1161.05 feet, to the Southwestern corner of ADDITION (162), and a point on the Northern line of the SHERWOOD MANOR ADDITION (94), as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records;

13. thence continuing along the existing City Limits on said Northern line of ADDITION (94), North 89°30'00" West, 464.42 feet, to the Northwestern corner of ADDITION (94), and a point on the Eastern line of said HARTE TRACT ADDITION (223);

14. thence continuing along the existing City Limits on said Eastern line of ADDITION (223), North 00°39'30" West, 20.00 feet, to the Northeastern corner of ADDITION (223);

15. thence continuing along the existing City Limits on the Northern line of ADDITION (223), said line being the Northern line of East Rumble Road, North 89°30'00" West, 854.23 feet, to the point of beginning, containing 49.993 Acres, more or less.

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Oakdale - Floyd Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as estabished by the Northeastern corner of the CELESTE NO. 3 ADDITION (268), as per description filed February 12, 1971, as Instrument 5278, Stanislaus County Records, said point also being on the Western line of the ORCHARD NEIGHBORHOOD ADDITION (398), as per description filed March 23, 1979, as Instrument 59989, Stanislaus County Records, said point also being the East quarter section corner of said Section 15;

1. thence along the existing City Limits on the Northern line of said ADDITION (268), North 89°22'05" West, 778.25 feet, to the Northeastern corner of the CELESTE NO. 2 ADDITION (246), as per description filed December 29, 1969, as Instrument 42493, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Northern line of said ADDITION (246), North 89°22'05" West, 534.09 feet, to the Northeastern corner of the ROSE ACRES NO. 2 ADDITION (222), as per description filed September 19, 1968, as Instrument 29381, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Northern line of said ADDITION (222), North 89°22'05" West, 1292.14 feet, to a Southeastern corner of the FLOYD ADDITION (259), as per description filed August 17, 1970, as Instrument 26194, Stanislaus County Records;

4. thence continuing along the existing City Limits on an Eastern line of said ADDITION (259), said line also being the Eastern line of 40.00 foot Rose Avenue, North, 660.00 feet;

5. thence continuing along the existing City Limits on a Southern line of said ADDITION (259), South 89°23'21" East, 964.49 feet, to the Southwestern corner of the OAKDALE-FLOYD NO. 2 ADDITION (379), as per description filed August 3, 1978, as Instrument 7281, Stanislaus County Records;

6. thence continuing along the existing City Limits on the Southern line of said ADDITION (379), South 89°23'21" East, 1640.53 feet, to the Southeastern corner of ADDITION (379) and a point on said Western line of said ADDITION (398);

7. thence continuing along the existing City Limits on said Western line of ADDITION (398), said line being the center line of Oakdale Road and the section line common to Sections 14 and 15, above Township and Range, South 0°01'26" West, 660.96 feet, to the point of beginning, containing 39.495 Acres, more or less.

June 23, 1983

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Coffee - Rumble Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as estabished by a Northeastern corner of the COFFEE-RUMBLE ANNEXATION (403), as per description filed June 19, 1979, as Instrument 82967, Stanislaus County Records, said point being on a Western line of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point also being on the East line of said Section 9;

1. thence along the existing City Limits along the Northern line of said ANNEXATION (403), North 89°37' West, 298.00 feet, to the Northwestern corner of ANNEXATION (403), and a point on the Eastern line of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Eastern line of ADDITION (157), North 00°50'30" West, 711.00 feet, to the Southwestern corner of the COFFEE NO. 3 ANNEXATION (383), as per description filed October 2, 1978, as Instrument 21312, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Southern line of said ANNEXATION (383), South 89°37' East, 298.00 feet, to the Southeastern corner of ANNEXATION (383), and a point on the Western line of the SYLVAN SCHOOL NO. 2 ADDITION (300), as per description filed January 19, 1973, as Instrument 29981, Stanislaus County Records;

4. thence continuing along the existing City Limits on said Western line of ADDITION (300), and said East line of Section 9, South 00°50'30" East, 403.96 feet, to the Southwestern corner of ADDITION (300), and the Northwestern corner of said ADDITION (252);

5. thence continuing along the existing City Limits on a Western line of ADDITION (252), and the East line of Section 9, South 00°50'30" East, 307.04 feet, to the point of beginning, containing 4.863 Acres, more or less.

Exhibit "F"

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CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Lucern - Coffee Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as estabished by the Northeastern corner of the MORRIS ADDITION (224), as per description filed October 31, 1968, as Instrument 34429, Stanislaus County Records, said point being on a Western line of the SUNNYSIDE ANNEXATION (410), as per description filed July 26, 1979, as Instrument 6061, Stanislaus County Records;

1. thence along the existing City Limits on the Northern line of said ADDITION (224), and the center line of 50.00 foot East Morris Avenue, South 89°57' West, 308.00 feet, to the Northwestern corner of ADDITION (224), and a point on the Eastern line of the TSCHANTZ-VAN HORN ADDITION (48), as per description filed June 12, 1953, as Instrument 14774, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Eastern line of ADDITION (48), North 00°54' West, 161.20 feet, to the Northeastern corner of ADDITION (48);

3. thence continuing along the existing City Limits on the Northern line of ADDITION (48), North 89°59'15" West, 174.86 feet, to the Northwestern corner of ADDITION (48), and a point on an Eastern line of the ESGAR TRACT ADDITION (8), as per description filed December 6, 1939, as Instrument 15815, Stanislaus County Records;

4. thence continuing along the existing City Limits on said Eastern line of ADDITION (8), North 00°54' West, 133.67 feet, to the Southwestern corner of the MILO ADDITION (211), as per description filed February 28, 1968, as Instrument 6307, Stanislaus County Records;

5. thence continuing along the existing City Limits on the Southern line of said ADDITION (211), South 89°57' East, 142.97 feet, to the Southeastern corner of ADDITION (211);

6. thence continuing along the existing City Limits on the Eastern line of ADDITION (211), North 00°54' West, 362.48 feet, to the Northeastern corner of ADDITION (211), and a point on a Southern line of the DOWNEY HIGH SCHOOL AND JOHN MUIR SCHOOL ADDITION (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records;

Exhibit "G"

7. thence continuing along the existing City Limits on said Southern line of ADDITION (33), said line being the North line of said Section 28 and the center line of 60.00 foot Lucern Avenue, South 89°57' East, 339.90 feet, to a Southeastern corner of ADDITION (33), the Northeast corner of Section 28, and a point on the Western line of the COFFEE-LUCERN NO. 1 ADDITION (343), as per description filed March 26, 1976, as Instrument 44153, Stanislaus County Records;

8. thence continuing along the existing City Limits on said Western line of ADDITION (343), said line being the East section line of Section 28 and the center line of 90.00 foot Coffee Road, South 00°54' East, 495.00 feet, to the Southwestern corner of ADDITION (343), and the Northwestern corner of said ANNEXATION (410);

9. thence continuing along the existing City Limits on said Western line of ANNEXATION (410), and said East line of Section 28 and said center line of Coffee Road, South 00°54' East, 161.70 feet, to the point of beginning, containing 5.446 Acres, more or less.

MCHENRY-DRY CREEK MUNICIPAL REORGANIZATION
(Scenic-Coffee Area)

All that real property in the State of California, County of Stanislaus, being a portion of the North one-half of Section 27 and the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the SCENIC-ROSE NO. 1 ADDITION (311), as per description filed October 29, 1973, as Instrument 16851, Stanislaus County Records, said point being on the center line of former 50.00 foot Scenic Drive;

1. thence along the existing City Limits on the Western line of said ADDITION (311), said line being parallel with and 29.04 feet Easterly from the North-South quarter section line of said Section 27, South 00°19'25" East, 619.63 feet, to the Southwestern corner of ADDITION (311), and a Northwestern corner of the SCENIC-ENCINA ADDITION (315), as per description filed February 27, 1974, as Instrument 33322, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Western boundary of said ADDITION (315), the following bearings and distances, South 00°19'25" East, 1525.56 feet;

3. thence North 89°27'22" West, 30.94 feet, to said North-South quarter section line of Section 27;

4. thence along the quarter section line of Section 27, and a Western line of ADDITION (315), South 00°24'22" East, 75.00 feet, to the Southern line of the Modesto Irrigation District Lateral No. 2 and the Northeastern corner of the LA LOMA SCHOOL ADDITION (73), as per description filed January 24, 1957, as Instrument 2170, Stanislaus County Records;

5. thence continuing along the existing City Limits on the Northern line of said ADDITION (73), and said Southern line of Lateral No. 2, North 89°27'22" West, 658.01 feet, to the Southeastern corner of the EDGEBROOK NO. 1 ADDITION (297), as per description filed October 17, 1972, as Instrument 16035, Stanislaus County Records;

6. thence continuing along the existing City Limits on the Eastern boundary of said ADDITION (297), North 00°10'19" West, 1315.06 feet, to the Northeastern corner of ADDITION (297), and a point on the center line of Dry Creek;

7. thence continuing along the existing City Limits on the Northern boundary of ADDITION (297), and the center line of Dry Creek, the following bearings and distances, South 69°24'23" West, 86.06 feet;

8. thence South 89°09'23" West, 73.59 feet;

9. thence South 38°22'23" West, 66.07 feet;

10. thence South 81°39'23" West, 66.66 feet;

11. thence South 89°44'23" West, 85.15 feet;

12. thence South 73°51'23" West, 75.00 feet;

13. thence South 00°15'37" East, 10.50 feet;

14. thence South 80°52'23" West, 94.16 feet;

15. thence North 81°35'55" West, 101.39 feet, to the Southeastern corner of the SCENIC ADDITION (186), as per description filed February 3, 1966, as Instrument 4293, Stanislaus County Records;

16. thence continuing along the existing City Limits on the Eastern line of said ADDITION (186), said line being the Eastern line of the Southwest quarter of the Northwest quarter of Section 27, North 00°25'53" East, 111.01 feet, to the Northeastern corner of ADDITION (186);

17. thence continuing along the existing City Limits on the Northern line of ADDITION (186), said line being the Northern line of the Southwest quarter of the Northwest quarter of Section 27, North 89°02'37" West, 1020.00 feet, to the Northwestern corner of ADDITION (186);

18. thence continuing along the existing City Limits on the Western line of ADDITION (186), South 00°21'23" West, 268.17 feet, to the center line of Dry Creek and a point on a Northern line of the LA LOMA-YOSEMITE ADDITION (55), as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records;

19. thence continuing along the existing City Limits on the Northern line of said ADDITION (55), and the center line of Dry Creek, Westerly, to a point on an Eastern line of the ORIGINAL CITY, as incorporated August 6, 1884;

20. thence continuing along the existing City Limits on said Eastern line of the ORIGINAL CITY, Northerly, to the Southeastern corner of the CAPITAL HEIGHTS ADDITION (1), said point being the Southeast corner of the Northwest quarter of the Northeast quarter of said Section 28;

21. thence continuing along the existing City Limits on the Eastern line of said ADDITION (1), said line being the East line of said Northwest quarter of the Northeast quarter of Section 28, Northerly, to the Southwestern corner of the PORTION OF LOT 44 OF THE BROUGHTON COLONY ADDITION (32), as per description filed May 18, 1950, as Instrument 11062, Stanislaus County Records;

22. thence continuing along the existing City Limits on a Southern line of said ADDITION (32), South 89°21'East, 943.80 feet;

23. thence continuing along the existing City Limits on a Southern line of said ADDITION (32), North 73°45' East, 34.32 feet, to a Northwestern corner of the SCENIC NO. 2 ADDITION (229), as per description filed May 2, 1969, as Instrument 15075, Stanislaus County Records;

24. thence continuing along the existing City Limits on the Western and Southern boundaries of said ADDITION (229), the following bearings and distances, South 00°54' East, 373.05 feet;

25. thence North 68°12'30" East, 362.25 feet, to the Southeastern corner of ADDITION (229), and the Southwestern corner of the SCENIC-COFFEE ANNEXATION (429), as per description filed November 4, 1980, as Instrument 32241, Stanislaus County Records;

26. thence continuing along the existing City Limits on a Southern line of said ANNEXATION (429), and the center line of 90.00 foot Scenic Drive, North 69°14'00" East, 442.46 feet, to the Southeastern corner of ANNEXATION (429), and the Southwestern corner of the SUNNYSIDE ANNEXATION (410), as per description filed July 26, 1979, as Instrument 6061, Stanislaus County Records;

27. thence continuing along the existing City Limits on a Southern line of said ANNEXATION (410), and said center line of Scenic Drive, North 69°14' East, 140.76 feet, to the Southeastern corner of ANNEXATION (410), and the Southwestern corner of the SUNNYSIDE NO. 2 ANNEXATION (442), as per description filed September 30, 1981, as Instrument 17819, Stanislaus County Records;

28. thence continuing along the existing City Limits on a Southern line of said ANNEXATION (442), the following bearings and distances, North 69°14' East, 770.31 feet;

29. thence North 76°14' East, 74.96 feet, to the Southeastern corner of ANNEXATION (442), and the Southwestern corner of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

30. thence continuing along the existing City Limits on the Southern line of said ADDITION (226), and the center line of Scenic Drive, North 74°00'23" East, 1400.34 feet, to the point of beginning, containing 77.4 Acres, more or less.

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 23, the South one-half of Section 24 and the North one-half of Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the CLAUS-DRY CREEK GOVERNMENTAL REORGANIZATION (415), as per description filed April 4, 1980, as Instrument 62872, Stanislaus County Records, said point being on the East line of said Section 24 and the center line of Claus Road;

1. thence along the existing City Limits on the Western line of said GOVERNMENTAL REORGANIZATION (415), North 00°47'00" West, 231.32 feet, to the Southeastern corner of the SCENIC-CLAUS ADDITION (399), as per description filed May 7, 1979, as Instrument 70628, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (399) and the center line of Scenic Drive, the following bearings and distances, South 89°13'00" West, 20.00 feet;

3. thence Westerly along a tangent curve concave to the South, having a Radius of 145.10 feet, a Central Angle of 18°23'00" and an Arc Length of 46.56 feet;

4. thence South 70°50'00" West, 245.91 feet;

5. thence Westerly along a tangent curve concave to the Northwest, having a Radius of 350.00 feet, a Central Angle of 17°57'30" and an Arc Length of 109.70 feet;

6. thence North 01°12'30" West, 5.00 feet;

7. thence South 88°48'00" West, 769.86 feet, to a Southeastern corner of the SPRING CREEK ADDITION (325), as per description filed January 15, 1975, as Instrument 26879, Stanislaus County Records;

8. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (325) and the center line of Scenic Drive, the following bearings and distances, South 88°48'00" West, 114.87 feet;

9. thence North 85°05'00" West, 493.32 feet;

10. thence South 86°14'30" West, 330.69 feet;

Exhibit "I"

12. thence South 56°10'30" West, 304.60 feet;

13. thence South 45°30'00" West, 129.51 feet;

14. thence South 74°13'20" West, 161.82 feet;

15. thence South 87°55'00" West, 87.63 feet, to a Southeastern corner of the ORANGEBURG-LILLIAN ADDITION (302), as per description filed March 22, 1973, as Instrument 40448, Stanislaus County Records;

16. thence continuing along the existing City Limits on a Southern line of said ADDITION (302) and the center line of Scenic Drive, South 87°55'00" West, 327.34 feet, to a Southwestern corner of ADDITION (302);

17. thence continuing along the existing City Limits on a Western line of said ADDITION (302), North 00°52'10" West, 1337.33 feet, to the Northeastern corner of LINCOLN ESTATES NO. 4 SUBDIVISION, as per map filed July 28, 1965, in Volume 21 of Maps, Page 14, Stanislaus County Records, and a point on a Southern line of ADDITION (302);

18. thence continuing along the existing City Limits on said Southern line of ADDITION (302), South 89°20'20" West, 645.26 feet, to a Southwestern corner of ADDITION (302) and the Southeastern corner of the ORANGEBURG-LAKEWOOD ADDITION (328), as per description filed February 24, 1975, as Instrument 32476, Stanislaus County Records;

19. thence continuing along the existing City Limits on the Southern line of said ADDITION (328), South 89°20'20" West, 1309.25 feet, to the Southwestern corner of ADDITION (328) and the Southeastern corner of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972, as Instrument 23377, Stanislaus County Records;

20. thence continuing along the existing City Limits on a Southern line of said ADDITION (292), South 89°47' West, 656.99 feet, to a Southwestern corner of ADDITION (292), and a Southeastern corner of the ORANGEBURG-SONOMA ADDITION (299), as per description filed October 27, 1972, as Instrument 17572, Stanislaus County Records;

21. thence continuing along the existing City Limits on a Southern line of said ADDITION (292), South 89°47' West, 123.86 feet, to a Northeastern corner of the SCENIC-LAKEWOOD ADDITION (332), as per description filed May 30, 1975, as Instrument 46313, Stanislaus County Records;



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boundary of said ADDITION (332), the following bearings and distances, South 00°59' East, 446.29 feet;

23. thence North 89°47' East, 780.85 feet, to the center line of Lakewood Avenue;

24. thence along said center line of Lakewood Avenue, South 00°59' East, 166.02 feet;

25. thence South 89°48'20" West, 190.00 feet;

26. thence South 00°59' East, 415.74 feet;

27. thence South 63°27'21" West, 144.52 feet, to a Northeastern corner of the SCENIC-LAKEWOOD NO. 2 ADDITION (374), as per description filed June 23, 1978, as Instrument 81725, Stanislaus County Records;

28. thence continuing along the existing City Limits on the boundary of said ADDITION (374), the following bearings and distances, South 00°59' East, 385.57 feet;

29. thence North 88°18' East, 325.32 feet, to said center line of Lakewood Avenue;

30. thence South 00°59' East, 324.25 feet;

31. thence South 77°47'15" West, 601.90 feet;

32. thence South 30°22'28" West, 250.68 feet, to a Northeastern corner of the SCENIC BEND NO. 2 GOVERNMENTAL REORGANIZATION (425), as per description filed July 3, 1980, as Instrument 721, Stanislaus County Records;

33. thence continuing along the existing City Limits on a Southeastern line of said GOVERNMENTAL REORGANIZATION (425), South 29°39'49" West, 583.62 feet, to an Eastern corner of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977 as Instrument 15057, Stanislaus County Records;

34. thence continuing along the existing City Limits on a Soutneastern line of said ADDITION (359), South 29°39'49" West, 81.92 feet, to a Northwestern corner of the LINCOLN NO. 3 ADDITION (340), as per description filed February 4, 1976, as Instrument 35053, Stanislaus County Records;

35. thence continuing along the existing City Limits on the boundary of said ADDITION (340), the following bearings and distances, North 89°46'30" East, 174.07 feet, to the center line of Dry Creek;

36. thence along the center line of Dry Creek, North 26°03'20" East, 151.95 feet;

37. thence continuing along the center line of Dry Creek, North 34°09'26" East, 77.77 feet, to a Northwestern corner of the DRY CREEK PARK NO. 2 ADDITION (293), as per description filed June 30, 1972, as Instrument 26860, Stanislaus County Records;

38. thence continuing along the existing City Limits on the boundary of said ADDITION (293) and the center line of Dry Creek, the following bearings and distances, North 29°39'15" East, 30.01 feet;

39. thence North 34°20'00" East, 125.00 feet;

40. thence North 57°30'00" East, 155.00 feet;

41. thence North 65°10'00" East, 262.00 feet;

42. thence North 69°47'39" East, 188.72 feet;

43. thence South 87°32'00" East, 167.24 feet;

44. thence South 87°09'30" East, 216.88 feet;

45. thence South 67°34'30" East, 154.51 feet;

46. thence North 86°54'00" East, 73.13 feet;

47. thence South 77°38'00" East, 206.05 feet;

48. thence North 87°47'30" East, 49.70 feet;

49. thence South 67°03'00" East, 111.21 feet;

50. thence South 73°48'00" East, 83.48 feet;

51. thence South 82°22'00" East, 226.12 feet;

52. thence North 86°28'00" East, 101.84 feet;

53. thence leaving the center line of Dry Creek and along the boundary of ADDITION (293), South 00°58'28" East, 361.46 feet;

54. thence along a Northern line of ADDITION (293) and the South line of said Section 24, North 89°19'27" East, 710.06 feet, to the center line of Dry Creek;

55. thence continuing along the boundary of ADDITION (293) and the center line of Dry Creek, the following bearings and distances, South 58°38'55" East, 291.72 feet;

56. thence South 67°28'49" East, 73.30 feet;

57. thence South 59°43'19" East, 101.10 feet;

58. thence North [illegible] East, 214.25 feet;

59. thence North 66°17'08" East, 152.36 feet, to a Northwestern corner of LINCOLN NO. 2 ADDITION (324), as per description filed November 19, 1974, as Instrument 19676, Stanislaus County Records;

60. thence continuing along the existing City Limits on a Northwestern line of said ADDITION (324), North 54°00'52" East, 244.37 feet, to a Northwestern corner of ADDITION (324) and a point on the Northern line of said Section 25;

61. thence leaving the existing City Limits and along the center line of Dry Creek, the following bearings and distances, North 64°55' East, 180.00 feet;

62. thence North 32°29'30" East, 308.77 feet;

63. thence North 12°50'50" West, 58.46 feet;

64. thence West, 32.00 feet;

65. thence North 18°30" West, 141.83 feet;

66. thence North 40°18'20" West, 109.76 feet;

67. thence North 29°52' West, 532.18 feet;

68. thence North 21°52'30" West, 144.93 feet;

69. thence North 45°00' East, 76.37 feet;

70. thence North 09°56' East, 67.00 feet;

71. thence Easterly along the center line of Dry Creek to the point of beginning, containing 165.5 Acres, more or less.

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-448

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ROBERT L. CRISP, MAI, TO APPRAISE THREE PROPERTIES PROPOSED FOR A WASTEWATER TREATMENT PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Robert L. Crisp, MAI, to appraise three properties being considered for acquisition by the City on which to dispose of treated wastewater to complete its wastewater treatment project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 28th **day of** June, 19**83**, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-449

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** R.W. ARNOLD, MAI, TO APPRAISE THREE PROPERTIES PROPOSED FOR A WASTEWATER TREATMENT PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** R.W. Arnold, MAI, to appraise three properties being considered for acquisition by the City on which to dispose of treated wastewater to complete its wastewater treatment project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 28th **day of** June, **19** 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-450

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** TO CONSIDER A REQUEST BY BERTOLOTTI DISPOSAL SERVICE FOR A NEW LIMITED LICENSE TO COLLECT GARBAGE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** July 19, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a request by Bertolotti Disposal Service for a new limited license to collect garbage.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 28th **day of** June **, 19**83**, by Councilmember** Patterson **, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside **, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-451

A RESOLUTION SETTING TIME AND PLACE FOR HEARING TO CONSIDER A REQUEST BY ORANGE LINE SANITATION COMPANY, INC. FOR A NEW LIMITED LICENSE TO COLLECT GARBAGE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 19, 1983, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of a request by Orange Line Sanitation Company, Inc. for a new limited license to collect garbage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 19 83, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-452

A RESOLUTION APPROVING THE FINAL MAP OF THE VINEYARD NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Bright Development, a California corporation

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6.70 acres, known as The Vineyard No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 6th day of June, 1983, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said The Vineyard No. 2 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Council-

Whiteside

member Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: None

NOES: Councilmembers: None

ABSENT: Councilmembers:

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-453

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE ENVIRONMENTAL ASSESSMENT COMMITTEE TO FILE A NOTICE OF DETERMINATION REGARDING AN ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT APPLICATION TO FINANCE EXPANSION OF THE DOWNTOWN MULTI-LEVEL PARKING FACILITY.

WHEREAS, the Economic Development Administration (EDA) has grant funds available under the Supplemental Appropriation for Economic Development Assistance Programs portion of the Emergency Jobs Act, and

WHEREAS, the City of Modesto desires to submit an application to the Department of Commerce, Economic Development Administration for $750,000 in grant funding for expansion of the Downtown Multi-Level Parking Facility, and

WHEREAS, the City Council certifies that it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a Negative Declaration in regard to the environmental impact of the proposed expansion of the Downtown Multi-Level Parking Facility.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Chairman of the Environmental Assessment Committee is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed expansion of the Downtown Multi-Level Parking Facility.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1983, by Councilmember Bright, who moved its adoption, which motion being

duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers:
Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers:
None.

ABSENT: Councilmembers:
None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-454

A RESOLUTION GRANTING THE APPEAL OF WILLIAM A. HUCKABY & ASSOCIATES ON BEHALF OF CEDARBROOK DEVELOPMENT COMPANY TO THE DECISION OF THE PLANNING COMMISSION DENYING A TENTATIVE SUBDIVISION MAP FOR CEDARBROOK NO. 2 AND 3, PROPERTY LOCATED ON THE NORTH SIDE OF SCENIC DRIVE WEST OF CLAUS ROAD, AND APPROVING SAID MAP.

WHEREAS, the tentative map of the Cedarbrook No. 2 and 3 Subdivision was filed in the office of the Secretary of the Planning Commission on April 26, 1983, in accordance with the provisions of Section 4-4.401 of the Modesto Municipal Code, and

WHEREAS, copies of said tentative map have been sent to the Empire Union Elementary School and Modesto High School Districts, Modesto Irrigation District, the local utility companies, and the City of Modesto's Public Works and Parking and Traffic Departments, and

WHEREAS, city services, including sewer and water facilities, are available, and

WHEREAS, the area can be served by elementary schools in the Empire Union School District, and by Fire Station No. 3 at El Vista Avenue and Edgebrook Drive, two (2) miles distant, and

WHEREAS, the proposed subdivision consists of the second and third units of a townhouse project previously approved under P-D Zoning, and upon development, the new units are to be annexed to the homeowners association previously established for Unit 1 for common area maintenance, and

WHEREAS, a public hearing was held by the Planning Commission on June 6, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto,

California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said hearing the Planning Commission, by Resolution No. 83-82, found and determined that the tentative map of Cedarbrook No. 2 and 3 Subdivision filed in the office of the Secretary of the Planning Commission on April 26, 1983, should be denied for the reasons set forth in said resolution, and

WHEREAS, an appeal to the decision of the Planning Commission denying said tentative map for Cedarbrook No. 2 and 3 Subdivision, to divide property to create 221 townhouse lots on 17.12 acres, property located on the north side of Scenic Drive west of Claus Road, was filed by William A. Huckaby & Associates on behalf of Cedarbrook Development Company with the office of the City Clerk by letter dated June 8, 1983, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 p.m. on July 5, 1983, and

WHEREAS, at said meeting, after hearing evidence both oral and documentary, the Council of the City of Modesto found and determined that the appeal of William A. Huckaby & Associates on behalf of Cedarbrook Development Company to the decision of the Planning Commission denying approval of the tentative map of Cedarbrook No. 2 and 3 Subdivision, to divide property to create 221 townhouse lots on 17.12 acres, property located on the north side of Scenic Drive west of Claus Road, should be granted and the decision of the Planning Commission should be overruled, and

WHEREAS, at said meeting, the Council reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed tentative map,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by William A. Huckaby & Associates on behalf of Cedarbrook Development Company to the decision of the Planning Commission denying the tentative map of Cedarbrook No. 2 and 3 Subdivision, to divide property to create 221 townhouse lots on 17.12 acres, property located on the north side of Scenic Drive west of Claus Road, should be granted and the decision of the Planning Commission denying approval of said tentative subdivision map be overruled.

BE IT FURTHER RESOLVED that the City Council hereby finds and determines as follows:

1. The proposed subdivision map, together with the provisions for its design and improvements, is consistent with the General Plan and applicable specific plans of the City of Modesto and the Subdivision Map Act of the State of California.

2. The discharge of waste as a result of the proposed subdivision into the existing sewer system will not result in a violation of existing requirements by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code of the State of California.

BE IT FURTHER RESOLVED that the tentative subdivision map of Cedarbrook No. 2 and 3 Subdivision, to divide property to create 221 townhouse lots on 17.12 acres, property located on the north side of Scenic Drive west of Claus Road, filed in the office of the Secretary of the Planning Commission on April 26, 1983, be and is hereby approved, subject to the following conditions:

1. That all subdivision improvements shall be constructed in accordance with City of Modesto Standard Specifications and as required by the Director of Engineering pursuant to improvement plans.

2. That street barricades shall be constructed at the end of all deadend streets as required by the Director of Engineering pursuant to improvement plans.

3. That irrigation lines within the subdivision shall be removed or relocated as required by the Modesto Irrigation District and the Director of Engineering. Appropriate easements for irrigation lines to remain shall be dedicated as necessary.

4. That prior to City Council approval of a final subdivision map the subdivider shall submit for approval by the City Attorney the articles of incorporation and bylaws, as well as all covenants, conditions, and restrictions which are to be recorded to create a Homeowners' Association which shall guarantee continued maintenance of common facilities in the development. Said documents shall be recorded concurrently with the final subdivision map.

5. That the covenants, conditions and restrictions pertaining to the development shall provide, among other things, that utility service equipment and facilities may be installed on or through dwelling units to serve other dwellling units in the project as required by utility companies serving the project, and that said utility companies shall have a right of access to all lots and buildings where necessary to perform necessary maintenance and repair.

6. That public utility easements, including a blanket easement over the common area, as required by the utility companies serving the project shall be dedicated by the final map.

7. That provisions for water and sanitary sewer services to individual units shall be made in a manner to be approved by the Director of Engineering. Maintenance of all sanitary sewers outside of the street right-of-way shall be by the Homeowner's Association.

8. That a final map shall not be recorded unless appropriate P-D zoning to allow the proposed development is in effect.

9. That multiple final maps of the subdivision may be recorded subject to approval of unit boundaries by the Secretary of the Planning Commission and the Director of Engineering.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed parcel map.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside
Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: _____
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-455

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE OAKDALE-BRIGGSMORE TO FLOYD PROJECT (AMERI).

(Name of Project and Property Owners Name)

WHEREAS, on June 14, 1983, the Council of the City of Modesto by Resolution No. 83-388 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on July 5, 1983, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of the widening of a portion of Oakdale Road located between Briggsmore Avenue and Floyd Avenue in the City of Modesto, as part of the Oakdale-Briggsmore to Floyd Project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 37350.5, 37351, 37353 and 40404 of the Government Code, Sections 1240.110(a) and 1240.510 of the Code of Civil Procedure, and Article I, §19 of the Constitution of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

5. The real property which is hereinafter described consists of a parcel approximately 661 feet by 5 feet, located approximately 20 feet east of the existing centerline of Oakdale Road, and approximately 661 feet north of the existing centerline of Merle Avenue, and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

All that portion of the Southwest quarter of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The Eastern 5.00 feet, measured at right angles, of the Western 25.00 feet of the North half of the Northwest quarter of Lot 3 of the O. McHENRY RANCH, as per map filed February 14, 1905 in Volume 2 of Maps, Page 7, Stanislaus County Records, said area being 0.076 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 1983, by Councilmember Muratore, who moved it adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By J. H. Butler
Engineering Services

MODESTO CITY COUNCIL
RESOLUTION NO. 83-456

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 9-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON (BRIGHT DEVELOPMENT)

WHEREAS, on July 5, 1983, the City Council introduced Ordinance No. 2200-C.S. giving approval to a project relating to an amendment to Section Map 9-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(301), to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 9-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(301), to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-457

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE CO. FOR ASPHALT CONCRETE OVERLAY-RESIDENTIAL STREETS, 1983-84

WHEREAS, Resolution No. 83-352, adopted by the Council of the City of Modesto on June 7, 1983, approved the plans and specifications for the asphalt concrete overlay - residential streets, 1983-84 and authorized the calling for bids; and

WHEREAS, the bids received for the asphalt concrete overlay - residential streets, 1983-84 were opened at 11:05 a.m. on June 28, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of The Flintkote Co. in the amount of $159,985.90 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Flintkote Co. in the amount of $159,985.90 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-458

A RESOLUTION ACCEPTING THE BID OF CALIFORNIA PAVEMENT MAINTENANCE FOR SLURRY SEAL - RESIDENTIAL STREETS, 1983-84

WHEREAS, Resolution No. 83-351, adopted by the Council of the City of Modesto on June 7, 1983, approved the plans and specifications for the slurry seal - residential streets, 1983-84 and authorized the calling for bids; and

WHEREAS, the bids received for the slurry seal - residential streets, 1983-84 were opened at 11:00 a.m. on June 28, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of California Pavement Maintenance in the amount of $85,426.75 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of California Pavement Maintenance in the amount of $85,426.75 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-459

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** MUNCY NEIGHBORHOOD PARK UTILITY BUILDING (LWCF NO. 06-00735) AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** the Muncy Neighborhood Park utility building **has been completed by** B & L Builders

**in accordance with the contract agreement dated** October 12, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** Muncy Neighborhood Park utility building **be accepted from said contractor,** B & L Builders;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $57,104 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** July, 1983, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-460

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** THE BRIGGSMORE/SUNRISE LANDSCAPING AND IRRIGATION PROJECT AS COMPLETE

**WHEREAS, a repcrt has been filed by the** Director of Engineering **that the construction of** the Briggsmore/Sunrise landscaping and irrigation project **has been ccmpleted by** Fries Landscaping

**in accordance with the contract agreement dated** February 8, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** the Briggsmore/Sunrise landscaping and irrigation project **be accepted from said contractor,** Fries Landscaping;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $14,848.52 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** July, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-461

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF TEMPORARY BUS PARKING EXPANSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of temporary bus parking expansion

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 26, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-462

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF ONE BUS ENGINE FROM BONANDER PONTIAC FOR $9,222

WHEREAS, the Service Division is requesting the purchase of a new Caterpillar engine to replace a destroyed engine in one of the Gillig coaches; and

WHEREAS, in order to speed up the purchase of the Caterpillar engine, staff is recommending waiver of formal bid procedures on the basis that such bids are undesirable in terms of time; and

WHEREAS, staff contacted four distributors of Caterpillar engines in the immediate area and Bonander Pontiac submitted the lowest price and have located an engine for immediate delivery.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one bus engine is hereby waived.

BE IT FURTHER RESOLVED that purchase of one bus engine from Bonander Pontiac for $9,222, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-463

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** TO CONSIDER THE APPEAL OF MICHAEL DEROUSI AND GARY HANSEN, WORLD REAL ESTATE AND DEVELOPMENT, TO A PLANNING COMMISSION DECISION REGARDING CAPE CODE ESTATES TENTATIVE SUBDIVISION MAP

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** July 19, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Michael deRousi and Gary Hansen, World Real Estate and Development, to a Planning Commission decision regarding Cape Code Estates tentative subdivision map.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** July **,** 19 83 **, by Councilmember** Whiteside **, who moved its adoption, which motion being duly seconded by Councilmember** Lang **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-464

A RESOLUTION ESTABLISHING MUNICIPAL OFF-STREET PARKING FACILITIES, PROVIDING FOR CONTROL THEREOF, AND RESCINDING RESOLUTION NO. 82-139.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. PARKING METER LOTS. The municipal off-street parking facilities specified on Exhibit "A" attached hereto are hereby established as parking meter lots to be controlled by parking meters. Parking time limits, rates of fees, and monthly fees for parking passes and reserved parking for said parking meter lots shall be as shown on Exhibit "A". Said Exhibit "A" is hereby incorporated by reference and made a part of this resolution.

SECTION 2. ATTENDANT LOTS. (a) The following municipal off-street parking facility is hereby established as a parking attendant lot:

(1) PAL-28 west side of 11th Street between I and J Streets

(b) Vehicular parking on said parking attendant lot shall be controlled and regulated by parking attendants as follows:

(1) PAL-28 from 8:00 a.m. to 6:00 p.m. Monday through Friday

(c) The rate of twenty-five cents (25¢) per hour or fraction thereof, unless validated in accordance with the provisions of Section 3-2.1604 of the Modesto Municipal Code, is hereby established for said parking attendant lot PAL-28. The price for validation stamps to be used with the validation system on said parking attendant lot, as provided by Section 3-2.1604 of the Modesto Municipal Code, shall be thirty cents (30¢) per stamp.

(d) The Director of Parking and Traffic may designate spaces in said parking attendant lot for the free parking of bicycles. When appropriate signs are erected, bicycles may be parked in such areas without charge.

(e) Monthly parking passes may be authorized by the Director of Parking and Traffic on said parking attendant lot PAL-28 when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be Twenty-five and no/100ths ($25.00) Dollars for PAL-28.

SECTION 3. PARKING TICKET LOTS. (a) The following municipal off-street parking facilities are hereby established as parking ticket lots:

(1) PTL-2 east side of 9th Street between I and J Streets

(2) PTL-20 west side of 10th Street between G and H Streets and south of PTL-23 (Old City Hall)

(3) PTL-23 west side of 10th Street between G and H Streets (Brack-Griffin)

(4) PTL-34 southwest corner of 10th and K Streets

(b) Vehicular parking on said parking ticket lots PTL-2, PTL-20, PTL-23, and PTL-34 shall be controlled by means of ticket dispensing devices from 9:00 a.m. to 4:30 p.m., Monday through Friday.

(c) The rate of fifty cents (50¢) per day or fraction thereof is hereby established for said parking ticket lots PTL-2, PTL-20, PTL-23, and PTL-34.

(d) Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking ticket lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be Fifteen and no/100ths ($15.00) Dollars.

SECTION 4. RESERVED PARKING LOTS. (a) The following municipal off-street parking facilities are hereby designated as reserved parking lots:

(1) RPL-4a west side of 11th Street between H and I Streets (street level)

(2) RPL-38 west side of 11 Street between K and L Streets

(b) Vehicular parking on said reserved parking lots shall be controlled by signs and painted markings.

(c) Charges for reserved parking on RPL-4a shall be Twenty-five and no/100ths ($25.00) Dollars per space per month.

(d) Charges for reserved parking on RPL-38 shall be Fifteen and no/100ths ($15.00) Dollars per space per month.

SECTION 5. FREE PARKING LOTS. (a) The following municipal off-street parking facilities shall be free parking lots:

(1) PL-10 east side of 8th Street between I and K Streets

(2) PL-13 north side of H Street between 15th and 16th Street (Modesto Stanislaus Library)

(3) PL-15 east side of 11th Street between F and G Streets (north of Fire Station #1)

(4) PL-16 east side of 11th Street between F and G Streets (south of Fire Station #1)

(5) PL-27 Southern Pacific Depot between I and K Streets

(6) PL-31 between Downey Avenue, H, I, and 17th Streets (Lincoln School Site)

(b) Parking time limit on PL-13 shall be either no time limit or in portions as posted, a two-hour time limit 8:00 a.m. to 5:00 p.m., Monday through Friday.

SECTION 6. DISABLED PERSONS. Notwithstanding any other provision of this resolution, disabled persons, as defined in Section 22511.5 of the California Vehicle Code, displaying a distinguishing license plate or

distinguishing placard issued pursuant to Section 22511.5 of the California Vehicle Code may park free in any of the municipal off-street parking facilities specified in this resolution, except in reserved parking spaces.

SECTION 7. EFFECTIVE DATE. The effective date of this resolution shall be September 1, 1983.

SECTION 8. RESCIND. Resolution No. 82-139 adopted January 19, 1982, is rescinded effective September 1, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Acting Mayor Bright

NOES: Councilmembers: Whiteside

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

| | PARKING METER LOT NUMBER | LOCATION | TIME LIMITS & FEE CLASSIFICATION | FEES FOR MONTHLY PASSES | MONTHLY FEE FOR RESERVED SPACE |
|---|---|---|---|---|---|
| 1. | PML-2a | Alley between 9th, 10th, I and J Streets | PM-1 | * | ** |
| 2. | PML-3 | Southeast corner of 12th and I Streets | PM-3 | * | ** |
| 3. | PML-11 | Southwest corner of 10th and H Streets | PM-2 | * | $20.00*** |
| 4. | PML-21 | Southwest corner of 11th and K Streets | PM-4 | $15.00 | ** |
| 5. | PML-24 | Southeast corner of 9th and J Streets | PM-1 | * | ** |
| 6. | PML-25 | Southeast corner of 9th and I Streets | PM-1 | $15.00 | ** |
| 7. | PML-30 | East side of 12th Street between J and K Streets | PM-3 | $20.00 | ** |
| 8. | PML-32 | East side of 10th Street between J and K Streets | PM-1 | $15.00 | ** |
| 9. | PML-33 | Northeast corner of 10th and H Streets | PM-1 | * | $25.00**** |
| 10. | PML-35 | County Administration Lot, between 11th, 12th, G and H Streets | PM-5 | * | ** |

* Monthly passes are not authorized
** Reserved spaces are not authorized
*** No limit on the number of spaces reserved
**** The number of spaces reserved is limited to a maximum of 15

TIME LIMITS AND FEE CLASSIFICATION

PM-1: Three (3) hour limit, 9 a.m. to 6 p.m., Monday through Friday; five (5¢) cents per one-half (1/2) hour or fraction thereof.

PM-2: Five (5) hour limit, 9 a.m. to 6 p.m., Monday through Friday; five (5¢) cents per one-half (1/2) hour or fraction thereof.

PM-3: No time limit, 9 a.m. to 6 p.m., Monday through Friday, five (5¢) cents per one-half (1/2) hour or fraction thereof.

PM-4: No time limit, 9 a.m. to 6 p.m., Monday through Friday; twenty-five (25¢) cents per hour or fraction thereof.

PM-5: Time limit as posted, either twenty-four (24) minute or one hour time limit, 8 a.m. to 5 p.m., Monday through Friday; one (1¢) cent per six (6) minutes or fraction thereof.

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-465

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $900 TO PURCHASE AND INSTALL A TICKET SPITTER TO CONVERT PARKING LOT 2 FROM ATTENDANT OPERATION TO TICKET SPITTER OPERATION

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Salaries/Part-Time (P/T) (120.00) | $900 |
| TO: | Ticket Spitter (P/T) (5401.00) | $900 |

Funds needed to purchase and install a ticket spitter to convert Parking Lot 2 from attendant operation to ticket spitter operation.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** July, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO.
83-466

A RESOLUTION APPROVING THE FINAL MAP OF THE RESUBDIVISION OF HILLSBORO HEIGHTS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, CARRIE HILL FREESE, as to a Life Estate; TRANSWORLD FINANCIAL CORPORATION PROFIT PLAN; TRANSWORLD FINANCIAL CORPORATION PENSION PLAN; and TRANSWORLD FINANCIAL CORPORATION, INC. ~~is~~ (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 5.81 acres, known as the RESUBDIVISION OF HILLSBORO HEIGHTS Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 18th day of April, 1983, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said RESUBDIVISION OF HILLSOBORO HEIGHTS Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Council-

member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-467

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, the City has several surplus items of personal property that could best be sold on a sealed bid basis, which items are listed on Exhibit A, entitled "Surplus City Equipment", and Exhibit B, entitled "Surplus City Property," both of which are attached hereto and by this reference made a part hereof as though set forth in full herein, and

WHEREAS, said property has become surplus to the City's needs by reason of replacement or obsolescence,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell on a sealed bid basis to the highest bidder, those items of surplus equipment property listed on Exhibit A, and those items of personal property listed on Exhibit B referred to above, which are hereby found to be surplus.

SECTION 2. The sale shall be conducted by the City Manager or by such person as he may select for this purpose. If said items of property cannot be sold on a sealed bid basis as provided for above, they shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

SURPLUS CITY EQUIPMENT

| City Property No. | Description |
|---|---|
| 18101 | 1981 Dodge Diplomat Patrol Car |
| 18104 | 1981 Dodge Diplomat Patrol Car |
| 18105 | 1981 Dodge Diplomat Patrol Car |
| 18107 | 1981 Dodge Diplomat Patrol Car |
| 18108 | 1981 Dodge Diplomat Patrol Car |
| 18110 | 1981 Dodge Diplomat Patrol Car |
| 18113 | 1981 Dodge Diplomat Patrol Car |
| 18115 | 1981 Dodge Diplomat Patrol Car |
| 18118 | 1981 Dodge Diplomat Patrol Car |
| 18121 | 1981 Dodge Diplomat Patrol Car |
| 18038 | 1980 Dodge Aspen (wrecked) Patrol Car |
| 85022 | Dodge Monaco Patrol Car |
| 50320 | 1975 Ecolo Tech Vacuum Sweeper |
| 50305 | FMC Sweeper Model 876 |

SURPLUS CITY PROPERTY

| City Property No. | Description |
|---|---|
| None | Industrial Coffee Make |
| 70112 | Toro Weed Eater |
| 70160 | Toro Weed Eater |
| 70164 | Toro Weed Eater |
| 70111 | Toro Weed Eater |
| 70154 | Toro Weed Eater |
| 70161 | Toro Weed Eater |
| 70046 | Kioritz Weed Eater |
| 70166 | Kioritz Weed Eater |
| 70149 | Toro 2-Cycle Lawn Mower |
| 70172 | Toro Back Pack Blower |
| 7317 | Olympia Calculator |
| 6718 | Dictaphone Transcriber |
| None | Quantor Microfiche Reader #305 |
| 8585 | Burroughs Electronic Adding Machine |
| 8078 | Sharp CS-2052 Calculator |
| None | (Pallet) Misc Law Books |
| 2471 | Burroughs Adding Machine (old style) |
| None | (Two) Thompson Industrial Vacuum Cleaners |
| None | Westinghouse 5Hp Well Pump and Motor |

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-468

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $2,700 FROM CONTINGENCY RESERVE TO PURCHASE ADDITIONAL STREET NAME SIGNS FOR MCHENRY AVENUE

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Contingency Reserve (6102 Cost Center 8911) | $2,700 |
| TO: | Construction Materials P/T (321) | $2,700 |

Funds are needed to purchase additional street name signs for McHenry Avenue.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** July, 1983, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-469

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE KEMPER GROUP FOR RENEWAL OF BOILER AND MACHINERY INSURANCE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Kemper Group for a three-year term renewal of boiler and machinery insurance, through Giddings, Corby, Hynes

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 5th **day of** July, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-470

A RESOLUTION AUTHORIZING PAYMENT TO THE STATE WATER RESOURCES CONTROL BOARD FOR MODIFICATION OF THE WASTE DISCHARGE PERMIT FOR THE WASTEWATER TREATMENT PLANT

BE IT RESOLVED that the City Council of the City of Modesto hereby authorizes the payment of a $10,000 fee to the State Water Resources Control Board for modification of the Waste Discharge Permit for the wastewater treatment plant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-471

A RESOLUTION APPOINTING MEMBER OF THE DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD (FRANK C. BOOTS)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Downtown Improvement District Advisory Board for the respective term as indicated:

Frank C. Boots
1541 Clevenger Drive
Modesto, Ca. 95356

Term to expire 3/28/87

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Downtown Improvement District Advisory Board and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of July, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

CITY COUNCIL OF THE CITY OF MODESTO
COUNCIL RESOLUTION NO. 83-472

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO CERTIFYING THE COMPLETION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MODESTO REDEVELOPMENT PROJECT

WHEREAS, an environmental impact report (the "EIR") on the Redevelopment Plan (the "Redevelopment Plan") for the Modesto Redevelopment Project (the "Project") was prepared by the Redevelopment Agency of the City of Modesto (the "Agency") pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal.Adm.Code Section 15000 et seq., hereafter the "State CEQA Guidelines") and local procedures adopted by the Agency pursuant thereto; and

WHEREAS, on April 13, 1983, the Agency filed a Notice of Completion and forwarded the Draft EIR to the State Clearinghouse for distribution to those agencies which have jurisdiction by law with respect to the Project and to other interested persons and agencies, and sought the comments of such persons and agencies; and

WHEREAS, notice to all interested persons and agencies inviting comments on the Draft EIR was published in the Modesto Bee on April 18, 1983; and

WHEREAS, the Draft EIR was thereafter revised and supplemented to adopt changes suggested, to incorporate comments received and the Agency's response to said comments, and as so revised and supplemented, a Final EIR was prepared and submitted to the City Council of the City of Modesto; and

WHEREAS, a joint public hearing was held by the Agency and the City Council on July 6, 1983, on the Redevelopment Plan and the Final EIR relating thereto, following notice duly and regularly given as required by law, and all interested persons expressing a desire to comment thereon or

object thereto having been heard, and said Final EIR and all comments and responses thereto having been considered; and

WHEREAS, the Final EIR consists of the Draft EIR, as revised and supplemented, made a part of the Agency's Report on the Redevelopment Plan, incorporating all comments received and the response of the Agency and the City Council thereto as of the date hereof;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MODESTO DOES RESOLVE AS FOLLOWS:

Section 1. The Council hereby certifies that the Final Environmental Impact Report for the Modesto Redevelopment Project has been completed in compliance with the California Environmental Quality Act, the State CEQA Guidelines and local procedures adopted by the Agency pursuant thereto, and that the Council has reviewed and considered the information contained in the Final Environmental Impact Report.

Section 2. The Council hereby makes the written findings set forth in Exhibit A, attached hereto and incorporated by reference herein, for each of the significant effects set forth in said Exhibit A, and further approves the statement of facts set forth in said Exhibit A. Based on such findings and statement of facts, the Council hereby finds that significant environmental effects have been reduced to an acceptable level in that all significant environmental effects have been eliminated or substantially lessened except for the following: the reduction in exposure to traffic by businesses on 10th Street between J and K Streets and between L and M Streets. Based on the foregoing, the Council finds and determines that the Modesto Redevelopment Project will have a significant effect upon the environment.

Section 3. As to the significant environmental effect which is not eliminated or substantially lessened identified in Section 2 of this resolution, the Council hereby

adopts the following statement of overriding considerations. The Council hereby finds that, based on the findings and statement of facts set forth in Exhibit A, and based on the Final EIR and/or other information contained in the record, its action to approve and carry out the Redevelopment Plan is supported for the following reasons:

(a) The Redevelopment Plan will eliminate blighting influences and environmental deficiencies in the Project Area, including, among others, small and irregular lots, obsolete and aged building types, substandard alleys, deteriorated or inadequate public improvements, and incompatible and uneconomic land uses; strengthen the economic base of the Project Area and the community by installing needed on-site and off-site improvements to stimulate new commercial expansion, employment and economic growth; provide for a community center; assemble land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area; replan, redesign and develop undeveloped areas which are stagnant or improperly utilized; and establish and implement performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area.

(b) The alternative of keeping 10th Street open would result in a division of the community center project which would result in significant pedestrian/vehicular conflict and the Plaza, which would provide open space and serve as the focal point of the community center, would be eliminated.

Section 5. In the event that it is determined that the significant effects identified in Section 2 as being eliminated or substantially lessened are not mitigated or substantially lessened, the City Council hereby finds that, based on the Final EIR and/or other information contained

in the record, its action to approve and carry out the Redevelopment Plan is supported for the reasons specified in subparagraph (a) of Section 3 of this resolution.

Section 5. The City Clerk of the City of Modesto is hereby directed to file a Notice of Determination with the County Clerk of Stanislaus County and the Secretary of the Resources Agency pursuant to the provisions of Section 21152 of the Public Resources Code and the State CEQA Guidelines adopted pursuant thereto.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 6th day of July, 1983, by Council member Whiteside, who moved its adoption, which motion being duly seconded by Council member Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Council members: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Council members: | None |
| ABSENT: | Council members: | Mayor Mensinger |

ATTEST: Judy G. Hall
JUDY G. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

EXHIBIT A

FINDINGS ON SIGNIFICANT EFFECTS

1. Description of significant effect:

Traffic and Circulation: Increased traffic volumes at intersections of 9th and K Streets and 9th and L Streets, and increased parking needs.

The Agency finds that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the the significant environmental effects thereof as identified in the Final EIR.

[ ] Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

[ ] Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

The facts supporting such findings are as follows:

1. A left turn only phase of the signal system shall be added for northbound and southbound left turns on 9th Street at K Street.

2. A left turn only phase of the signal system shall be added for eastbound, westbound and northbound left turns at 9th and L Streets.

3. Additional parking facilities will be constructed.

These findings are supported by substantial evidence in the record of the proceedings before the Agency.

2. Description of significant effect:

Noise: Impact on project due to existing noise levels.

The Agency finds that as to such significant effect identified above:

[X] Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the the significant environmental effects thereof as identified in the Final EIR.

[ ] Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

[ ] Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

The facts supporting such findings are as follows:

1. Acoustical design requirements will be made a part of the architectural design approval requirements.

2. The parking structure proposed to be constructed between K and L Streets, and fronting on 9th Street, will assist in buffering the noise levels.

These findings are supported by substantial evidence in the record of the proceedings before the Agency.

3. Description of significant effect:

Economic: Reduction in exposure to traffic by businesses on 10th Street between J and K Streets and L and M Streets.

The Agency finds that as to such significant effect identified above:

[ ] Changes or alterations have been required in, or incorporated into, the project which

mitigate or avoid the the significant environmental effects thereof as identified in the Final EIR.

[ ] Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

[X] Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

The facts supporting such findings are as follows:

1. The proposed Community Center will eliminate the improper utilization of stagnant and underutilized property and will stimulate commercial expansion, employment and economic growth.

2. The alternative of keeping 10th Street open would result in a division of the proposed Community Center project which would result in significant pedestrian/vehicular conflict, and the Plaza, which would provide open space and serve as the focal point of the community center, would be eliminated.

These findings are supported by substantial evidence in the record of the proceedings before the Agency.

CITY COUNCIL OF THE CITY OF MODESTO
RESOLUTION NO. 83-473

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO FINDING THAT THE USE OF TAXES ALLOCATED FROM THE MODESTO REDEVELOPMENT PROJECT FOR THE PURPOSE OF IMPROVING AND INCREASING THE COMMUNITY'S SUPPLY OF LOW- AND MODERATE-INCOME HOUSING OUTSIDE THE PROJECT AREA WILL BE OF BENEFIT TO THE PROJECT

WHEREAS, the Redevelopment Agency of the City of Modesto (the "Agency") has prepared a proposed Redevelopment Plan (the "Redevelopment Plan") for the Modesto Redevelopment Project (the "Project") which would result in the allocation of taxes from the Project Area to the Agency for the purposes of redevelopment; and

WHEREAS, Section 33334.2 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) requires for redevelopment plans adopted after December 31, 1976, that not less than 20 percent of all taxes so allocated be used by the Agency for the purpose of improving and increasing the community's supply of low- and moderate-income housing available at affordable housing cost; and

WHEREAS, Section 33334.2(g) of the Health and Safety Code provides that the Agency may use such funds outside the Project Area if a finding is made by resolution of the Agency and the City Council that such use will be of benefit to the Project;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MODESTO DOES HEREBY FIND AND RESOLVE that the use of taxes allocated from the Project Area for the purpose of improving and increasing the community's supply of low- and moderate-income housing available at affordable housing cost outside the Project Area and within the City of Modesto will be of benefit to the Project.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on

the 6th day of July, 1983, by Council member Patterson, who moved its adoption, which motion being duly seconded by Council member Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Council members: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Council members: | None |
| ABSENT: | Council members: | Mayor Mensinger |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-474

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING THREE MICROCOMPUTERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of three microcomputers

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 9, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-475

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RECONSTRUCTION OF PUMP STATION NO. 28

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the reconstruction of Pump Station No. 28

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 2, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 19 83, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-476

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** THE DALE/VENEMAN TRAFFIC SIGNALS AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** the Dale/Veneman traffic signals **has been completed by** Walther Electric Company

**in accordance with the contract agreement dated** November 9, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** the Dale/Veneman traffic signals **be accepted from said contractor,** Walther Electric Company;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $72,200 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** July, **19**83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-477

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE FRIENDSHIP SOUTHERN BAPTIST CHURCH FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1318 HAYS STREET

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Friendship Southern Baptist Church for sewer service to property outside City limits at 1318 Hays Street, located on the west side of Hays Street between Robertson Road and Kenneth Street

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** July, **19**83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-478

A RESOLUTION APPROVING THE APPLICATION AND THE PROJECT AGREEMENT FOR HISTORIC PRESERVATION GRANTS-IN-AID FUNDS FOR THE McHENRY MANSION RESTORATION PROJECT.

WHEREAS, the Congress under Public Law 89-665 has authorized the establishment of a National Historic Preservation Grants-in-Aid Program, providing matching funds to the State of California and its political subdivisions for historic preservation, survey, planning, development, and acquisition projects, and

WHEREAS, the California Office of Historic Preservation is responsible for the administration of the program within the State, setting up necessary rules and procedures governing application by local agencies under the program, and

WHEREAS, said adopted procedures established by the California Office of Historic Preservation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said applications to the State,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby:

1. Approves the filing of an application for the National Historic Preservation Grants-in-Aid assistance for project, and

2. Appoints the City Manager or his authorized deputy as agent of the City of Modesto to coordinate, process and execute all contracts, agreements, amendments and ancillary documents within the scope of the attached, application, and

3. Agrees that all required local matching funds will be provided for the project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-479

**A RESOLUTION APPOINTING MEMBER OF THE** HOUSING MAINTENANCE AND COUNSELING SUBCOMMITTEE (LAURA JETT)

**WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:**

**SECTION 1. The following person is hereby appointed to the** Housing Maintenance and Counseling Subcommittee **for the respective term as indicated:**

Laura Jett
1906 Saratoga Drive
Modesto, Ca. 95350

Term to expire 6/30/86

**SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the** Housing Maintenance and Counseling Subcommittee **and the Secretary thereof.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 12th **day of** July, 19 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Mayor Mensinger

**ATTEST:** Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-480

A RESOLUTION GRANTING THE APPEAL OF MICHAEL deRUOSI AND GARY HANSEN TO THE DECISION OF THE PLANNING COMMISSION CONDITIONS REGARDING THE CAPE COD ESTATES TENTATIVE SUBDIVISION MAP.

WHEREAS, the tentative map of Cape Cod Estates Subdivision was filed in the office of the Secretary of the Planning Commission on May 11, 1983, in accordance with the provisions of Section 4-4.401 of the Modesto Municipal Code, and

WHEREAS, copies of said tentative map have been sent to the Modesto City Elementary School and Modesto High School Districts, the Turlock Irrigation District, local utility companies, and the City of Modesto's Engineering and Parking and Traffic Departments, and

WHEREAS, city services, including sewer and water facilities, are available, and

WHEREAS, the area can be served by elementary schools in the Modesto City School District, and by Fire Station No. 1 at 11th and "F" Streets, three and one/fourth (3 1/4) miles distant, and

WHEREAS, a public hearing was held by the Planning Commission on June 20, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said hearing the Planning Commission, by Resolution No. 83-89, found and determined that the tentative map of Cape Cod Estates Subdivision filed in the office of the Secretary of the Planning Commission on May 11, 1983, should be approved, for the reasons set forth in Planning Commission Resolution No. 83-89 and quoted below:

1. That the proposed subdivision, together with the provisions for its design and improvements, is consistent with the General Plan and applicable specific plans of the City of Modesto and the Subdivision Map Act of the State of California.

2. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code of the State of California.

and

WHEREAS, said tentative map of Cape Cod Estates Subdivision was approved by the Planning Commission, subject to certain conditions as set forth in said Planning Commission Resolution No. 83-89, and

WHEREAS, an appeal to Condition Nos. 1, 7, 8 and 9 imposed by the Planning Commission in its Resolution No. 83-89 was filed by Michael deRuosi and Gary Hansen with the office of the City Clerk by letter dated June 29, 1983, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 p.m. on July 19, 1983, and

WHEREAS, at said meeting Michael deRuosi and Gary Hansen withdrew their appeal to Planning Commission Condition No. 1, and

WHEREAS, at said meeting, after hearing evidence both oral and documentary, the Council of the City of Modesto found and determined that the appeal of Michael deRuosi and Gary Hansen to Condition Nos. 7, 8 and 9 imposed by the Planning Commission in its Resolution No. 83-89, should be granted and that said conditions should be modified, and

WHEREAS, at said meeting, the Council reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed tentative subdivision map,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Michael deRuosi and Gary Hansen to Condition Nos. 7, 8 and 9 imposed by the Planning Commission in its Resolution No. 83-89, is hereby granted and said Condition Nos. 7, 8 and 9 are hereby modified to read as follows:

7. That the Hatch Road frontage of the parcels labeled "FUTURE DEVELOPMENT (not a part of this subdivision)" shall be widened and improved to major street standards in accordance with the following schedule:

   a) Improvements shall be constructed for a distance of 200 feet east and west of Ustick Road in conjunction with the second subdivision unit developed.

   b) Improvements shall be constructed for a distance of 200 feet east of Boise Avenue in conjunction with the construction of Boise Avenue to intersect Hatch Road.

   c) Improvement of the remainder of the Hatch Road frontage shall occur at such time as more than 1/2 of the lots east of Ustick Road are created by a final map.

8. That Ustick Road shall be widened to 50 foot part-width collector street standards south of Hatch Road in connection with the first final map recorded.

9. That Boise Avenue shall be extended to Hatch Road and improved to collector street standards by any final map which either increases the number of lots east of Ustick Road to more than 142 or includes any protion of the subdivision east of Boise Avenue.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed subdivision.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of July, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson

ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-481

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING DREDGING SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing dredging services

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 9, 1983, at 2:10 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of July, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-482

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS FOR THE ACQUISITION OF 0.06+ ACRES OF RIGHT OF WAY NEEDED FOR THE SCENIC/COUNTY HOSPITAL TO SUNNYSIDE PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Housing Authority of the County of Stanislaus for the acquisition of 0.06+ acres of right of way needed for the Scenic/County hospital to Sunnyside project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 19th **day of** July, **19** 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-483

A RESOLUTION APPROVING AMENDED AND REINSTATED CREDIT AGREEMENT BETWEEN THE CITY OF MODESTO AND CROCKER NATIONAL BANK (HOUSING PROGRAM OFFICE)

WHEREAS, the City of Modesto and Crocker National Bank are signators to a Credit Agreement which stipulates the various procedures for approving, processing and subsidizing the loans and grants authorized by the Housing Maintenance Program.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the amended and reinstated credit agreement between the City of Modesto and Crocker National Bank, relating to the term of agreement, be and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amended agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of July, 1983, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-484

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** WENDEL AND PATRICIA LACKEY FOR THE LEASE OF THE FORMER SOMMERFELD HOUSE IN PROPOSED DRY CREEK PARK

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Wendel and Patricia Lackey for the lease of the former Sommerfeld House in proposed Dry Creek Park

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 19th **day of** July, **19** 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-485

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** BLUE CROSS OF CALIFORNIA TO RENEW THE $20,000 SPECIFIC STOP LOSS COVERAGE FOR THE PERIOD OF JULY 1, 1983, TO JUNE 30, 1984

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Blue Cross of California to renew the $20,000 Specific Stop Loss Coverage for the period of July 1, 1983 to June 30, 1984

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 19th **day of** July**, 19**83**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Bright**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-486

A RESOLUTION OF INTENTION TO CLOSE THE PUBLIC ALLEY IN BLOCK 68 OF THE CITY OF MODESTO TO VEHICULAR TRAFFIC.

WHEREAS, adjacent property owners requested that the City of Modesto vacate and abandon the public alley in Block 68, bounded by 10th, 11th, I and J Streets, of the City of Modesto, and

WHEREAS, the City Council referred said alley abandonment request to the Planning Commission for a report and recommendation, and

WHEREAS, a title report was submitted with the abandonment request which vests fee title to the alley right-of-way in adjacent landowners, and

WHEREAS, the proposed abandonment was referred to affected city departments and the local utility companies, and replies received, and

WHEREAS, notices of an informal public hearing by the Planning Commission to consider the request to abandon the public alley in Block 68 were posted in the area, and

WHEREAS, prior to said informal public hearing by the Planning Commission the applicants amended their request for vacation and abandonment to instead request that an alley closure be authorized during specified times, and

WHEREAS, an informal public hearing was held by the Planning Commission on July 5, 1983, at which time it was found and determined by Resolution No. 83-96, as follows:

1. Closure of the alley during specified times would allow an outdoor mall concept to be created on adjacent property in conjunction with a private redevelopment project which would benefit the downtown area in general.

2. Access needs for service and delivery vehicles can be met by keeping the alley open during specified times and possible designation of on-street loading areas.

3. Use of the encroachment permit procedure to the closure of the alley during specified times will insure provisions for full time access by emergency and utility vehicles.

and

WHEREAS, the Planning Commission by said Resolution No. 83-96, recommended to the City Council that the closure of the public alley in Block 68 to vehicular traffic during specified times be authorized subject to the following conditions:

1. That the closure be authorized only between the hours of 11:00 a.m. to 3:00 p.m. and 5:00 p.m. to 10:00 p.m. each day.

2. That prior to implementation of the closure the applicants shall secure an encroachment permit from the Director of Engineering Services. Detailed plans for closure gates or barriers and any other proposed encroachment into the alley shall be submitted for approval by the Director of Engineering Services as part of the application for an encroachment permit.

3. That an on-street loading zone on J Street between the alley and 10th Street be established as designated by the Director of Parking and Traffic.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto hereby declares its intention to close the public alley in Block 68, bounded by 10th, 11th, I and J Streets, to vehicular traffic from 11:00 a.m. to 3:00 p.m., and 5:00 p.m. to 10:00 p.m. each day, subject to the conditions recommended by the Planning Commission and hereinabove set forth. Said proposed closure to be at a point in said alley approximately 120 feet southeast of J Street and at the alley's intersection with 10th Street, as shown on the drawing entitled "Proposed

Alley Closure--Block 68," dated July 19, 1983, on file in the office of the City Clerk.

SECTION 2. The Council of the City of Modesto hereby elects to proceed with the proposed public alley closure referred to above, pursuant to the provisions of Division 9, Part 3, Chapter 3, of the Streets and Highways Code of the State of California.

SECTION 3. Notice is hereby given that August 9, 1983, at the hour of 7:30 p.m., in the Council Chambers, 801 11th Street, Modesto, California, is hereby fixed as the time and place for hearing all persons interested in or objecting to the proposed public alley closure.

SECTION 4. The City Clerk is hereby directed to cause to be published in full in The Modesto Bee, the official newspaper of the City of Modesto, the date, place and hour of said hearing once each week for two (2) successive weeks before the date set for said hearing.

SECTION 5. The Director of Planning and Community Development is hereby directed to cause notices of the proposed public alley closure in Block 68, bounded by 10th, 11th, I and J Streets, to be posted conspicuously along the line of said public alley proposed to be closed at least fourteen (14) days before the date set for the hearing. At least three (3) such notices shall be posted. Such notices shall state the passage of this Resolution of Intention, and the time and place for the hearing.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of July, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly

seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton,

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-487

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED, (TRANSIT OPERATIONS-FY 1983-84)

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects, and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs, and

WHEREAS, it is required by the U. S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964, and the U. S. Department of Transportation requirements thereunder, and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. That the City Manager of the City of Modesto is authorized to execute and file an application on behalf of the City of Modesto with the U. S. Department of Transportation, to aid in the financing of the City's transit operations in Fiscal Year 1983-84, pursuant to Section 5 of the Urban Mass Transportation Act of 1964, as amended.

2. That the City Manager of the City of Modesto is authorized to execute and file with such applications an assurance or any other document required by the U. S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That Douglas J. Carmody, Director of Parking and Traffic, is authorized to furnish such additional information as the U. S. Department of Transportation may require in connection with the application or the project.

4. That the Minority Business Enterprises Liaison Officer of the City of Modesto is autnorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the City Manager of the City of Modesto is authorized to execute grant contract agreements on behalf of the City of Modesto with the U. S. Department of Transportation for aid in financing of transit operations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1983 by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-488

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN BLOCK 101

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extension in Block 101

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 16, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-489

A RESOLUTION ACCEPTING THE BID OF GROVER CONSTRUCTION FOR THE CONSTRUCTION OF DRYDEN GOLF COURSE MAINTENANCE FACILITY

WHEREAS, Resolution No. 83-428, adopted by the Council of the City of Modesto on June 28, 1983, approved the plans and specifications for the construction of Dryden Golf Course maintenance facility and authorized the calling for bids; and

WHEREAS, the bids received for the construction of Dryden Golf Course maintenance facility were opened at 11:00 a.m. on July 19, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Grover Construction in the amount of $118,370 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Grover Construction in the amount of $118,370 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 490

A RESOLUTION DECLARING THAT THE CITY COUNCIL OF THE CITY OF MODESTO SHALL BE THE BOARD OF DIRECTORS OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF MODESTO AND PROVIDING FOR REIMBURSEMENT OF EXPENSES OF DIRECTORS.

WHEREAS, pursuant to Ordinance No. 2206-C.S., "An Ordinance Declaring Need for the Industrial Development Authority of the City of Modesto and that such Authority shall Function," adopted by this City Council July 26, 1983, and the California Industrial Development Financing Act, Title 10 (commencing with Section 91500), of the Government Code (the "Act"), the Industrial Development Authority of the City of Modesto (the "Authority") has been declared organized and functioning and authorized to transact business and exercise all of the powers and other authority conferred upon industrial development authorities by such Act,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. Board of Directors. This City Council is declared to be, ex-officio, the board of directors of the Authority.

2. Expenses. Members of the Board of Directors shall receive their actual and necessary expenses, including travel expenses incurred in the discharge of their duties.

3. Previous Organization. No resolution otherwise providing for directors has been previously adopted.

4. Effective Date. This resolution shall become effective on August 25, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 491

A RESOLUTION ESTABLISHING RENTAL FEES FOR USE OF ROOMS AND FACILITIES IN THE SENIOR CITIZENS CENTER AND RESCINDING RESOLUTION NO. 83-68.

WHEREAS, the City of Modesto owns property located at the corner of Bodem and Scenic Drive which is used for a Senior Citizens Center, and

WHEREAS, City Staff has recommended a change in existing rental fees for use of rooms and facilities in said Senior Citizens Center, and

WHEREAS, the Council desires to change said existing rental fees for use of rooms and facilities in said Senior Citizens Center,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that effective August 1, 1983, the following rental fees are hereby established for using rooms and facilities in the Senior Citizens Center:

| | | |
|---|---|---|
| A. | Conference Room | |
| | 1. One-time user (morning, afternoon or evening usage) | $17.50 |
| | 2. Regular Users | 11.50 |
| B. | Auditorium and Dining Room | |
| | 1. One-time User | |
| | Morning till noon | 17.50 |
| | Morning till 1:00 p.m. except Sunday | 23.00 |
| | Afternoon except Sunday | 23.00 |
| | Evenings except Friday, Saturday, and Sunday | 29.00 |
| | Friday evening | 35.00 |
| | Saturday evening | 58.00 |
| | Sunday morning or afternoon | 17.50 |
| | Sunday evening | 23.00 |
| | 2. Regular Users | |
| | Morning till noon | 11.50 |
| | Morning till 1:00 p.m. except Sunday | 17.50 |
| | Afternoon except Sunday | 17.50 |
| | Evenings except Friday, Saturday and Sunday | 23.00 |
| | Friday evening | 29.00 |
| | Saturday evening | 52.50 |
| | Sunday morning or afternoon | 11.50 |
| | Sunday evening | 17.50 |

BE IT FURTHER RESOLVED that effective August 1, 1984, the following rental fees are hereby established for using rooms and facilities in the Senior Citizens Center:

| | | |
|---|---|---|
| A. | Conference Room | |
| | 1. One-time user (morning, afternoon or evening usage) | $20.00 |
| | 2. Regular Users | 13.00 |
| B. | Auditorium and Dining Room | |
| | 1. One-time User | |
| | Morning till noon | 20.00 |
| | Morning till 1:00 p.m. except Sunday | 26.00 |
| | Afternoon except Sunday | 26.00 |
| | Evenings except Friday, Saturday, and Sunday | 33.00 |
| | Friday evening | 40.00 |
| | Saturday evening | 66.00 |
| | Sunday morning or afternoon | 20.00 |
| | Sunday evening | 26.00 |
| | 2. Regular Users | |
| | Morning till noon | 13.00 |
| | Morning till 1:00 p.m. except Sunday | 20.00 |
| | Afternoon except Sunday | 20.00 |
| | Evenings except Friday, Saturday and Sunday | 26.00 |
| | Friday evening | 33.00 |
| | Saturday evening | 60.00 |
| | Sunday morning or afternoon | 13.00 |
| | Sunday evening | 20.00 |

BE IT FURTHER RESOLVED that all rental fees set forth above shall be paid to the Director of Parks and Recreation and that those for uses on a recurring basis shall be paid in advance on or before the first day of each month, and those for one time use shall be paid in advance of each use.

BE IT FURTHER RESOLVED that Resolution No. 83-68 adopted by the Council on February 1, 1983, is hereby rescinded effective July 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly

seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: _____
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-492

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $3,790 TO PURCHASE FURNITURE FOR THE MCHENRY MANSION

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | McHenry Mansion Reserve Account (61.04) | $3,790 |
| TO: | McHenry Mansion Restoration Capital Account (6276.00) | $3,790 |

This transfer is necessary in order to purchase furniture for the McHenry Mansion. The items to be purchased are piano lamp, bookcase and secretary.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 26th **day of** July, 19 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Lang |

**ATTEST:** Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-493

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A PRE-APPLICATION/APPLICATION FOR FEDERAL FUNDING TO OFFSET THE COST OF COMPLETING AND EQUIPPING MODESTO'S EMERGENCY OPERATION CENTER

BE IT RESOLVED by the Council of the City of Modesto that the submission of a pre-application and application to the Federal Emergency Management Agency for federal funds in the amount of $19,350 to offset the cost of completing and equipping Modesto's Emergency Operation Center, located in the airport building, be, and hereby is approved.

BE IT FURTHER RESOLVED that the execution of the pre-application/application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1983, by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-494

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $15,000 TO COVER COST OF WORK BY ARCHITECT AND CITY STAFF ON PLANS FOR A TWO-LEVEL EXPANSION OF EXISTING ELEVENTH STREET PARKING GARAGE

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Contingency Reserve for Land Acquisition and Capital (61.10) | $15,000 |
| TO: | 11th Street Parking Garage Expansion (6269.00) | $15,000 |

To cover cost of work by architect and City staff on plans for a two-level expansion of the existing four-level Eleventh Street parking garage.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle

NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-495

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** CONRAD ASSOCIATES FOR PREPARATION OF PRELIMINARY PLANS FOR A TWO-LEVEL EXPANSION OF THE EXISTING FOUR-LEVEL ELEVENTH STREET PARKING GARAGE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Conrad Associates for preparation of preliminary plans for a two-level expansion of the existing four-level Eleventh Street parking garage

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August**, 19** 83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Patterson**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-496

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE MC HENRY-DRY CREEK MUNICIPAL REORGANIZATION TO THE CITY OF MODESTO AND ORDERING THE REORGANIZATION OF SAID TERRITORY, AND STATING THE INTENTION OF THE CITY OF MODESTO RELATING TO CALIFORNIA LAND CONSERVATION ACT CONTRACTS IN THE MC HENRY-DRY CREEK MUNICIPAL REORGANIZATION.

WHEREAS, by Resolution No. 83-447, adopted on June 28, 1983, the Council of the City of Modesto initiated proceedings for the proposed McHenry-Dry Creek Municipal Reorganization to the City of Modesto, and

WHEREAS, by said Resolution No. 83-447, the Council fixed the 2nd day of August, 1983, at the hour of 4:00 o'clock P.M., in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said municipal reorganization, and

WHEREAS, a copy of said Resolution No. 83-447 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto, for the time and in the manner required by law, said publications being commenced at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 2nd day of August, 1983, at the hour of 4:00 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed municipal reorganization, and

WHEREAS, less than twenty-five (25%) percent of the registered voters within the territory of the proposed municipal reorganization and less than twenty-five (25%) percent of the owners of land who own less than twenty-five (25%) percent of the total assessed value of land within the territory of the proposed municipal reorganization have filed and not withdrawn written protests prior to the close of said hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission on June 15, 1983, ordered that a negative declaration be filed as to the environmental effect of the subject municipal reorganization, and

WHEREAS, several parcels of land included in said municipal reorganization are subject to California Land Conservation Act Contracts which were approved by the County of Stanislaus, which contracts and parcels of land are more fully identified as follows:

> Parcel No. 33-25-07, being more fully described in Contract No. 76-2388, approved on February 17, 1976, and recorded in Volume 2771, page 592, Instrument No. 37454 of the Official Records of Stanislaus County (James and Susann Coleman).
>
> Parcel No. 33-25-06, being more fully described in Contract No. 76-2389, approved on February 17, 1976, and recorded in Volume 2771, page 600, Instrument No. 37455 of the Official Records of Stanislaus County (James and Susann Coleman).
>
> Parcel No. 33-22-18, being more fully described in Contract No. 77-2529, approved on February 22, 1977, and recorded in Volume 2886, page 587, Instrument No. 47004 of the Official Records of Stanislaus County (C. R. and Jeannette Maino).

and

WHEREAS, the City of Modesto by City Council resolutions duly filed its protests to the said contracts with the Local Agency Formation Commission, which resolutions protesting said contracts are more fully identified as follows:

Modesto City Council Resolution No. 76-285 adopted on February 9, 1976 protesting Contract No. 76-2388;

Modesto City Council Resolution No. 76-285 adopted on February 9, 1976 protesting Contract No. 76-2389;

Modesto City Council Resolution No. 76-1303 adopted on December 7, 1976 protesting Contract No. 77-2529.

and

WHEREAS, the Local Agency Formation Commission upheld said protests by a resolution dated April 19, 1978.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the McHenry-Dry Creek Municipal Reorganization to the City of Modesto, is inhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto as Exhibits A through G and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the proposed municipal reorganization.

4. A sufficient protest against the proposed municipal reorganization has not been made to terminate the municipal reorganization or to require an election.

5. Said territory is hereby reorganized and made a part of the City of Modesto.

6. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the municipal reorganization; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that the City of Modesto, pursuant to the provisions of Government Code Section 51243, hereby states its intention not to succeed and does not succeed to the following described California Land Conservation Act Contract:

Contract No. 77-2529 (C. R. and Jeannette Maino)

BE IT FURTHER RESOLVED that the City of Modesto, pursuant to the provisions of Government Code Sections 51235 and 51243, hereby states its intention to succeed and does succeed to the following described California Land Conservation Act Contracts:

Contract No. 76-2388 (James and Susann Coleman)

Contract No. 76-2389 (James and Susann Coleman).

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject municipal reorganization is hereby

approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said municipal reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Engineering Services Department
6-2-83

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Scenic - Sonoma Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 23 and the North one-half of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as estabished by the Southwestern corner of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977, as Instrument 15057, Stanislaus County Records, said point being on the center line of Dry Creek, said point also being the Southwestern corner of the property conveyed to Jack E. Goodwin, et ux, by deed recorded January 6, 1977, as Instrument 35756, Stanislaus County Records;

1. thence along the existing City Limits on a Western line of said ADDITION (359), and the Western line of said Goodwin property, North 00°52'36" West, 435.73 feet, to a point on the former 40.00 foot wide Scenic Drive and a Southern line of the SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Southern line of ADDITION (285), North 89°00'21" West, 1203.36 feet, to a Southwestern corner of ADDITION (285);

3. thence continuing along the existing City Limits on a Western line of ADDITION (285), said line being the center line of Sonoma Avenue and the North-South quarter section line of said Sections 23 and 28, North 00°51'41" West, 861.11 feet, to the Southeastern corner of the SONOMA NO. 1 ADDITION (277), as per description filed October 20, 1971, as Instrument 40190, Stanislaus County Record;

4. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (277), the following bearings and distances, South 69°36'19" West, 187.27 feet;

5. thence North 84°54'41" West, 583.94 feet;

6. thence South 83°11'19" West, 428.36 feet, to the Southeastern corner of the SCENIC VILLAGE ADDITION (187), as per description filed March 24, 1966, as Instrument 10379, Stanislaus County Records;

7. thence continuing along the existing City Limits on a Southern line of said ADDITION (187), South 83°11'19" West, 220.49 feet;

Exhibit "A"

8. thence continuing along the existing City Limits on a Southern line of ADDITION (187), North 74°53'41" West, 397.37 feet, to the Northeastern corner of the SCENIC-OAKDALE ADDITION (371), as per description filed April 5, 1978, as Instrument 63080, Stanislaus County Records;

9. thence continuing along the existing City Limits on the Eastern line of said ADDITION (371), South 00°56'11" West, 763.66 feet, to the Southeast corner of ADDITION (371), and a point on the center line of 50.00 foot Scenic Drive and a point on a Northern line of the SCENIC-OAKDALE NO. 3 ANNEXATION (452), as per description filed December 30, 1982, as Instrument 34239, Stanislaus County Records;

10. thence continuing along the existing City Limits on the Northern and Eastern boundaries of said ANNEXATION (452), the following bearings and distances, South 67°01'41" East, 96.82 feet;

11. thence Easterly along a tangent curve concave to the North, having a Radius of 572.96 feet, a Central Angle of 21°47'48" and an Arc Length of 217.97 feet;

12. thence along a tangent line, South 88°49'29" East, 355.37 feet;

13. thence leaving the center line of Scenic Drive, South 00°13'29" East, 408.93 feet, to a point on a Northern line of the DRY CREEK PARK NO. 3 ADDITION (313), as per description filed January 21, 1974, as Instrument 27802, Stanislaus County Records;

14. thence continuing along the existing City Limits on the Northeastern boundary of said ADDITION (313), the following bearings and distances, North 85°57'31" East, 149.40 feet;

15. thence South 00°13'29" East, 130.00 feet;

16. thence South 51°11' East, 340.00 feet;

17. thence South 41°32'47" East, 198.31 feet;

18. thence South 33°07'30" East, 99.20 feet;

19. thence South 20°05'54" East, 139.11 feet;

20. thence South 00°13'31" East, 200.00 feet, to a point on a Northern line of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

21. thence continuing along the existing City Limits on the Northern boundary of said ADDITION (228), the following bearings and distances, South 89°57'25" East, 280.38 feet;

22. thence South 56°49'35" East, 299.55 feet, to the Northwestern corner of the DRY CREEK PARK NO. 4 GOVERNMENTAL REORGANIZATION (428), as per description filed September 24, 1980, as Instrument 18720, Stanislaus County Records;

23. thence continuing along the existing City Limits on the Northern boundary of said GOVERNMENTAL REORGANIZATION (428), the following bearings and distances, South 75°30'00" East, 344.32 feet;

24. thence North 72°30'00" East, 297.00 feet;

25. thence North 47°30'00" East, 231.00 feet;

26. thence North 21°45'00" East, 660.00 feet;

27. thence North 31°30'00" East, 231.00 feet;

28. thence North 54°45'00" East, 37.20 feet, to the point of beginning, containing 92.587 Acres, more or less.

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Sherwood Forest Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as estabished by the Northwestern corner of the HARTE TRACT ADDITION (223), as per description filed October 18, 1968, as Instrument 33012, Stanislaus County Records, said point being on the most Eastern boundary of the CROCCO ADDITION (171), as per description filed March 17, 1965, as Instrument 10620, Stanislaus County Records;

1. thence along the existing City Limits on said Eastern boundary of ADDITION (171), North 00°47'00" West, 895.13 feet, to the Northeastern corner of ADDITION (171);

2. thence continuing along the existing City Limits on the Northern boundary of ADDITION (171), North 89°23'20" West, 1129.00 feet, to a Southeastern corner of the McHENRY ADDITION (241), as per description filed October 9, 1969, as Instrument 33951, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Eastern line of ADDITION (241), North 00°47'30" West, 395.50 feet, to the Northeastern corner of ADDITION (241), said point also being the Southwestern corner of the NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), as per description filed April 15, 1981, as Instrument 61596, Stanislaus County Records, said point being also the center line of 60.00 foot Robin Hood Drive;

4. thence continuing along the existing City Limits on a Southern line of GOVERNMENT REORGANIZATION (435), said line being a non-tangent curve concave to the Southwest, having a Radius of 670.00 feet, a Central Angle of 17°15'15" and an Arc Length of 201.77 feet, to a point of reverse curvature from which point a radial line bears North 28°57'30" East;

5. thence continuing along the existing City Limits along said Southerly boundary of GOVERNMENTAL REORGANIZATION (435), on said reverse curve concave to the Northeast, having a Radius of 530.00 feet, a Central Angle of 10°59'12" and an Arc Length of 101.63 feet, to the most Southerly corner of GOVERNMENTAL REORGANIZATION (435), from which point a radial line bears North 17°58'18" East;

6. thence continuing along the existing City Limits on an Eastern line of GOVERNMENTAL REORGANIZATION (435), and the center line of a 20.00 foot alley, North 00°47'30" West, 129.80 feet;

7. thence continuing along the existing City Limits on a Southern line of GOVERNMENTAL REORGANIZATION (435), and the center line of a 20.00 alley, South 89°23'20" East, 190.32 feet, to the Soutneastern corner of GOVERNMENTAL REORGANIZATION (435);

8. thence leaving the existing City Limits and continuing along the center line of the East-West alley in Block 12321 of the SHERWOOD FOREST Subdivision, as per map filed August 13, 1956 in Volume 18 of Maps, Page 56, Stanislaus County Records, South 89°23'20" East, 658.94 feet, to a point on the center line of 60.00 foot Doncaster Lane and a point on the Western line of the SHERWOOD FOREST NO. 2 ADDITION (451), as per description filed June 21, 1982, as Instrument 28536, Stanislaus County Records;

9. thence along the existing City Limits on said Western line of ADDITION (451), South 00°47'00" East, 10.01 feet, to the Southwestern corner of ADDITION (451);

10. thence continuing along the existing City Limits on the Southern line of ADDITION (451), and the Northern line of said Sherwood Forest Subdivision, South 89°23'20" East, 1318.76 feet, to a point on the Western line of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records;

11. thence continuing along the existing City Limits on said Western line of ADDITION (275), South 00°46'00" East, 159.54 feet, to the Northwestern corner of the CRESTWOOD TERRACE NO. 2 ADDITION (162), as per description filed March 24, 1964, as Instrument 11958, Stanislaus County Records;

12. thence continuing along the existing City Limits on the Western line of ADDITION (162), South 00°46'00" East, 1161.05 feet, to the Southwestern corner of ADDITION (162), and a point on the Northern line of the SHERWOOD MANOR ADDITION (94), as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records;

13. thence continuing along the existing City Limits on said Northern line of ADDITION (94), North 89°30'00" West, 464.42 feet, to the Northwestern corner of ADDITION (94), and a point on the Eastern line of said HARTE TRACT ADDITION (223);

14. thence continuing along the existing City Limits on said Eastern line of ADDITION (223), North 00°39'30" West, 20.00 feet, to the Northeastern corner of ADDITION (223);

15. thence continuing along the existing City Limits on the Northern line of ADDITION (223), said line being the Northern line of East Rumble Road, North 89°30'00" West, 854.23 feet, to the point of beginning, containing 49.993 Acres, more or less.

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Oakdale - Floyd Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as estabished by the Northeastern corner of the CELESTE NO. 3 ADDITION (268), as per description filed February 12, 1971, as Instrument 5278, Stanislaus County Records, said point also being on the Western line of the ORCHARD NEIGHBORHOOD ADDITION (398), as per description filed March 23, 1979, as Instrument 59989, Stanislaus County Records, said point also being the East quarter section corner of said Section 15;

1. thence along the existing City Limits on the Northern line of said ADDITION (268), North 89°22'05" West, 778.25 feet, to the Northeastern corner of the CELESTE NO. 2 ADDITION (246), as per description filed December 29, 1969, as Instrument 42493, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Northern line of said ADDITION (246), North 89°22'05" West, 534.09 feet, to the Northeastern corner of the ROSE ACRES NO. 2 ADDITION (222), as per description filed September 19, 1958, as Instrument 29381, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Northern line of said ADDITION (222), North 89°22'05" West, 1292.14 feet, to a Southeastern corner of the FLOYD ADDITION (259), as per description filed August 17, 1970, as Instrument 26194, Stanislaus County Records;

4. thence continuing along the existing City Limits on an Eastern line of said ADDITION (259), said line also being the Eastern line of 40.00 foot Rose Avenue, North, 660.00 feet;

5. thence continuing along the existing City Limits on a Southern line of said ADDITION (259), South 89°23'21" East, 964.49 feet, to the Southwestern corner of the OAKDALE-FLOYD NO. 2 ADDITION (379), as per description filed August 3, 1978, as Instrument 7281, Stanislaus County Records;

6. thence continuing along the existing City Limits on the Southern line of said ADDITION (379), South 89°23'21" East, 1640.53 feet, to the Southeastern corner of ADDITION (379) and a point on said Western line of said ADDITION (398);

Exhibit "C"

7. thence continuing along the existing City Limits on said Western line of ADDITION (398), said line being the center line of Oakdale Road and the section line common to Sections 14 and 15, above Township and Range, South 0°01'26" West, 660.96 feet, to the point of beginning, containing 39.495 Acres, more or less.

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Coffee - Rumble Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as estabished by a Northeastern corner of the COFFEE-RUMBLE ANNEXATION (403), as per description filed June 19, 1979, as Instrument 82967, Stanislaus County Records, said point being on a Western line of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point also being on the East line of said Section 9;

1. thence along the existing City Limits along the Northern line of said ANNEXATION (403), North 89°37' West, 298.00 feet, to the Northwestern corner of ANNEXATION (403), and a point on the Eastern line of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Eastern line of ADDITION (157), North 00°50'30" West, 711.00 feet, to the Southwestern corner of the COFFEE NO. 3 ANNEXATION (383), as per description filed October 2, 1978, as Instrument 21312, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Southern line of said ANNEXATION (383), South 89°37' East, 298.00 feet, to the Southeastern corner of ANNEXATION (383), and a point on the Western line of the SYLVAN SCHOOL NO. 2 ADDITION (300), as per description filed January 19, 1973, as Instrument 29981, Stanislaus County Records;

4. thence continuing along the existing City Limits on said Western line of ADDITION (300), and said East line of Section 9, South 00°50'30" East, 403.96 feet, to the Southwestern corner of ADDITION (300), and the Northwestern corner of said ADDITION (252);

5. thence continuing along the existing City Limits on a Western line of ADDITION (252), and the East line of Section 9, South 00°50'30" East, 307.04 feet, to the point of beginning, containing 4.863 Acres, more or less.

Exhibit "D"

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Lucern - Coffee Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as estabished by the Northeastern corner of the MORRIS ADDITION (224), as per description filed October 31, 1968, as Instrument 34429, Stanislaus County Records, said point being on a Western line of the SUNNYSIDE ANNEXATION (410), as per description filed July 26, 1979, as Instrument 6061, Stanislaus County Records;

1. thence along the existing City Limits on the Northern line of said ADDITION (224), and the center line of 60.00 foot East Morris Avenue, South 89°57' West, 308.00 feet, to tne Northwestern corner of ADDITION (224), and a point on the Eastern line of the TSCHANTZ-VAN HORN ADDITION (48), as per description filed June 12, 1953, as Instrument 14774, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Eastern line of ADDITION (48), North 00°54' West, 161.20 feet, to the Northeastern corner of ADDITION (48);

3. thence continuing along the existing City Limits on the Northern line of ADDITION (48), North 89°59'15" West, 174.86 feet, to the Northwestern corner of ADDITION (48), and a point on an Eastern line of the ESGAR TRACT ADDITION (8), as per description filed December 6, 1939, as Instrument 15815, Stanislaus County Records;

4. thence continuing along the existing City Limits on said Eastern line of ADDITION (8), North 00°54' West, 133.67 feet, to the Southwestern corner of the MILO ADDITION (211), as per description filed February 28, 1968, as Instrument 6307, Stanislaus County Records;

5. thence continuing along the existing City Limits on the Southern line of said ADDITION (211), South 89°57' East, 142.97 feet, to the Southeastern corner of ADDITION (211);

6. thence continuing along the existing City Limits on the Eastern line of ADDITION (211), North 00°54' West, 362.48 feet, to the Northeastern corner of ADDITION (211), and a point on a Southern line of the DOWNEY HIGH SCHOOL AND JOHN MUIR SCHOOL ADDITION (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records;

Exhibit "E"

7. thence continuing along the existing City Limits on said Southern line of ADDITION (33), said line being the North line of said Section 28 and the center line of 60.00 foot Lucern Avenue, South 89°57' East, 339.90 feet, to a Southeastern corner of ADDITION (33), the Northeast corner of Section 28, and a point on the Western line of the COFFEE-LUCERN NO. 1 ADDITION (343), as per description filed March 26, 1976, as Instrument 44153, Stanislaus County Records;

8. thence continuing along the existing City Limits on said Western line of ADDITION (343), said line being the East section line of Section 28 and the center line of 90.00 foot Coffee Road, South 00°54' East, 495.00 feet, to the Southwestern corner of ADDITION (343), and the Northwestern corner of said ANNEXATION (410);

9. thence continuing along the existing City Limits on said Western line of ANNEXATION (410), and said East line of Section 28 and said center line of Coffee Road, South 00°54' East, 161.70 feet, to the point of beginning, containing 5.446 Acres, more or less.

(Scenic-Coffee Area)

All that real property in the State of California, County of Stanislaus, being a portion of the North one-half of Section 27 and the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the SCENIC-ROSE NO. 1 ADDITION (311), as per description filed October 29, 1973, as Instrument 16851, Stanislaus County Records, said point being on the center line of former 50.00 foot Scenic Drive;

1. thence along the existing City Limits on the Western line of said ADDITION (311), said line being parallel with and 29.04 feet Easterly from the North-South quarter section line of said Section 27, South 00°19'25" East, 619.63 feet, to the Southwestern corner of ADDITION (311), and a Northwestern corner of the SCENIC-ENCINA ADDITION (315), as per description filed February 27, 1974, as Instrument 33322, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Western boundary of said ADDITION (315), the following bearings and distances, South 00°19'25" East, 1525.56 feet;

3. thence North 89°27'22" West, 30.94 feet, to said North-South quarter section line of Section 27;

4. thence along the quarter section line of Section 27, and a Western line of ADDITION (315), South 00°24'22" East, 75.00 feet, to the Southern line of the Modesto Irrigation District Lateral No. 2 and the Northeastern corner of the LA LOMA SCHOOL ADDITION (73), as per description filed January 24, 1957, as Instrument 2170, Stanislaus County Records;

5. thence continuing along the existing City Limits on the Northern line of said ADDITION (73), and said Southern line of Lateral No. 2, North 89°27'22" West, 658.01 feet, to the Southeastern corner of the EDGEBROOK NO. 1 ADDITION (297), as per description filed October 17, 1972, as Instrument 16035, Stanislaus County Records;

6. thence continuing along the existing City Limits on the Eastern boundary of said ADDITION (297), North 00°10'19" West, 1315.06 feet, to the Northeastern corner of ADDITION (297), and a point on the center line of Dry Creek;

7. thence continuing along the existing City Limits on the Northern boundary of ADDITION (297), and the center line of Dry Creek, the following bearings and distances, South 69°24'23" West, 86.06 feet;

10. thence South 81°39'23" West, 66.66 feet;

11. thence South 89°44'23" West, 85.15 feet;

12. thence South 73°51'23" West, 75.00 feet;

13. thence South 00°15'37" East, 10.50 feet;

14. thence South 80°52'23" West, 94.16 feet;

15. thence North 31°35'55" West, 101.39 feet, to the Southeastern corner of the SCENIC ADDITION (186), as per description filed February 3, 1966, as Instrument 4293, Stanislaus County Records;

16. thence continuing along the existing City Limits on the Eastern line of said ADDITION (186), said line being the Eastern line of the Southwest quarter of the Northwest quarter of Section 27, North 00°25'53" East, 111.01 feet, to the Northeastern corner of ADDITION (186);

17. thence continuing along the existing City Limits on the Northern line of ADDITION (186), said line being the Northern line of the Southwest quarter of the Northwest quarter of Section 27, North 89°02'37" West, 1020.00 feet, to the Northwestern corner of ADDITION (186);

18. thence continuing along the existing City Limits on the Western line of ADDITION (186), South 00°21'23" West, 268.17 feet, to the center line of Dry Creek and a point on a Northern line of the LA LOMA-YOSEMITE ADDITION (55), as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records;

19. thence continuing along the existing City Limits on the Northern line of said ADDITION (55), and the center line of Dry Creek, Westerly, to a point on an Eastern line of the ORIGINAL CITY, as incorporated August 6, 1884;

20. thence continuing along the existing City Limits on said Eastern line of the ORIGINAL CITY, Northerly, to the Southeastern corner of the CAPITAL HEIGHTS ADDITION (1), said point being the Southeast corner of the Northwest quarter of the Northeast quarter of said Section 28;

21. thence continuing along the existing City Limits on the Eastern line of said ADDITION (1), said line being the East line of said Northwest quarter of the Northeast quarter of Section 28, Northerly, to the Southwestern corner of the PORTION OF LOT 44 OF THE BROUGHTON COLONY ADDITION (32), as per description filed May 18, 1950, as Instrument 11062, Stanislaus County Records;

23. thence continuing along the existing City Limits on a Southern line of said ADDITION (32), North 73°45' East, 34.32 feet, to a Northwestern corner of the SCENIC NO. 2 ADDITION (229), as per description filed May 2, 1969, as Instrument 15075, Stanislaus County Records;

24. thence continuing along the existing City Limits on the Western and Southern boundaries of said ADDITION (229), the following bearings and distances, South 00°54' East, 373.05 feet;

25. thence North 68°12'30" East, 362.25 feet, to the Southeastern corner of ADDITION (229), and the Southwestern corner of the SCENIC-COFFEE ANNEXATION (429), as per description filed November 4, 1980, as Instrument 32241, Stanislaus County Records;

26. thence continuing along the existing City Limits on a Southern line of said ANNEXATION (429), and the center line of 90.00 foot Scenic Drive, North 69°14'00" East, 442.46 feet, to the Southeastern corner of ANNEXATION (429), and the Southwestern corner of the SUNNYSIDE ANNEXATION (410), as per description filed July 26, 1979, as Instrument 6061, Stanislaus County Records;

27. thence continuing along the existing City Limits on a Southern line of said ANNEXATION (410), and said center line of Scenic Drive, North 69°14' East, 140.76 feet, to the Southeastern corner of ANNEXATION (410), and the Southwestern corner of the SUNNYSIDE NO. 2 ANNEXATION (442), as per description filed September 30, 1981, as Instrument 17819, Stanislaus County Records;

28. thence continuing along the existing City Limits on a Southern line of said ANNEXATION (442), the following bearings and distances, North 69°14' East, 770.31 feet;

29. thence North 76°14' East, 74.96 feet, to the Southeastern corner of ANNEXATION (442), and the Southwestern corner of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

30. thence continuing along the existing City Limits on the Southern line of said ADDITION (226), and the center line of Scenic Drive, North 74°00'23" East, 1400.34 feet, to the point of beginning, containing 77.4 Acres, more or less.

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 23, the South one-half of Section 24 and the North one-half of Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the CLAUS-DRY CREEK GOVERNMENTAL REORGANIZATION (415), as per description filed April 4, 1980, as Instrument 62872, Stanislaus County Records, said point being on the East line of said Section 24 and the center line of Claus Road;

1. thence along the existing City Limits on the Western line of said GOVERNMENTAL REORGANIZATION (415), North 00°47'00" West, 231.32 feet, to the Southeastern corner of the SCENIC-CLAUS ADDITION (399), as per description filed May 7, 1979, as Instrument 70628, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (399) and the center line of Scenic Drive, the following bearings and distances, South 89°13'00" West, 20.00 feet;

3. thence Westerly along a tangent curve concave to the South, having a Radius of 145.10 feet, a Central Angle of 18°23'00" and an Arc Length of 46.56 feet;

4. thence South 70°50'00" West, 245.91 feet;

5. thence Westerly along a tangent curve concave to the Northwest, having a Radius of 350.00 feet, a Central Angle of 17°57'30" and an Arc Length of 109.70 feet;

6. thence North 01°12'30" West, 5.00 feet;

7. thence South 88°48'00" West, 769.86 feet, to a Southeastern corner of the SPRING CREEK ADDITION (325), as per description filed January 15, 1975, as Instrument 26879, Stanislaus County Records;

8. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (325) and the center line of Scenic Drive, the following bearings and distances, South 88°48'00" West, 114.87 feet;

9. thence North 85°05'00" West, 493.32 feet;

10. thence South 86°14'30" West, 330.69 feet;

Exhibit "G"

13. thence South 45°30'00" West, 129.51 feet;

14. thence South 74°13'20" West, 151.82 feet;

15. thence South 87°55'00" West, 87.63 feet, to a Southeastern corner of the ORANGEBURG-LILLIAN ADDITION (302), as per description filed March 22, 1973, as Instrument 40448, Stanislaus County Records;

16. thence continuing along the existing City Limits on a Southern line of said ADDITION (302) and the center line of Scenic Drive, South 87°55'00" West, 327.34 feet, to a Southwestern corner of ADDITION (302);

17. thence continuing along the existing City Limits on a Western line of said ADDITION (302), North 00°52'10" West, 1337.33 feet, to the Northeastern corner of LINCOLN ESTATES NO. 4 SUBDIVISION, as per map filed July 28, 1965, in Volume 21 of Maps, Page 14, Stanislaus County Records, and a point on a Southern line of ADDITION (302);

18. thence continuing along the existing City Limits on said Southern line of ADDITION (302), South 89°20'20" West, 645.26 feet, to a Southwestern corner of ADDITION (302) and the Southeastern corner of the ORANGEBURG-LAKEWOOD ADDITION (328), as per description filed February 24, 1975, as Instrument 32476, Stanislaus County Records;

19. thence continuing along the existing City Limits on the Southern line of said ADDITION (328), South 89°20'20" West, 1309.25 feet, to the Southwestern corner of ADDITION (328) and the Southeastern corner of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972, as Instrument 23377, Stanislaus County Records;

20. thence continuing along the existing City Limits on a Southern line of said ADDITION (292), South 89°47' West, 656.99 feet, to a Southwestern corner of ADDITION (292), and a Southeastern corner of the ORANGEBURG-SONOMA ADDITION (299), as per description filed October 27, 1972, as Instrument 17572, Stanislaus County Records;

21. thence continuing along the existing City Limits on a Southern line of said ADDITION (292), South 89°47' West, 123.86 feet, to a Northeastern corner of the SCENIC-LAKEWOOD ADDITION (332), as per description filed May 30, 1975, as Instrument 46313, Stanislaus County Records;

23. thence North 39°47' East, 780.85 feet, to the center line of Lakewood Avenue;

24. thence along said center line of Lakewood Avenue, South 00°59' East, 166.02 feet;

25. thence South 89°48'20" West, 190.00 feet;

26. thence South 00°59' East, 415.74 feet;

27. thence South 68°27'21" West, 144.52 feet, to a Northeastern corner of the SCENIC-LAKEWOOD NO. 2 ADDITION (374), as per description filed June 23, 1978, as Instrument 81725, Stanislaus County Records;

28. thence continuing along the existing City Limits on the boundary of said ADDITION (374), the following bearings and distances, South 00°59' East, 385.57 feet;

29. thence North 88°18' East, 325.32 feet, to said center line of Lakewood Avenue;

30. thence South 00°59' East, 324.25 feet;

31. thence South 77°47'15" West, 601.90 feet;

32. thence South 50°22'28" West, 250.68 feet, to a Northeastern corner of the SCENIC BEND NO. 2 GOVERNMENTAL REORGANIZATION (425), as per description filed July 3, 1980, as Instrument 721, Stanislaus County Records;

33. thence continuing along the existing City Limits on a Southeastern line of said GOVERNMENTAL REORGANIZATION (425), South 29°39'49" West, 583.62 feet, to an Eastern corner of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977 as Instrument 15057, Stanislaus County Records;

34. thence continuing along the existing City Limits on a Southeastern line of said ADDITION (359), South 29°39'49" West, 81.92 feet, to a Northwestern corner of the LINCOLN NO. 3 ADDITION (340), as per description filed February 4, 1976, as Instrument 35053, Stanislaus County Records;

35. thence continuing along the existing City Limits on the boundary of said ADDITION (340), the following bearings and distances, North 89°46'30" East, 174.07 feet, to the center line of Dry Creek;

36. thence along the center line of Dry Creek, North 26°03'20" East, 151.95 feet;

June 30, 1972, as Instrument 26860, Stanislaus County Records;

38. thence continuing along the existing City Limits on the boundary of said ADDITION (293) and the center line of Dry Creek, the following bearings and distances, North 29°39'15" East, 30.01 feet;

39. thence North 34°20'00" East, 125.00 feet;

40. thence North 57°30'00" East, 155.00 feet;

41. thence North 65°10'00" East, 262.00 feet;

42. thence North 69°47'39" East, 188.72 feet;

43. thence South 87°32'00" East, 167.24 feet;

44. thence South 87°09'30" East, 216.88 feet;

45. thence South 67°34'30" East, 154.51 feet;

46. thence North 85°54'00" East, 73.13 feet;

47. thence South 77°38'00" East, 206.05 feet;

48. thence North 87°47'30" East, 49.70 feet;

49. thence South 67°03'00" East, 111.21 feet;

50. thence South 73°48'00" East, 83.48 feet;

51. thence South 82°22'00" East, 226.12 feet;

52. thence North 86°28'00" East, 101.84 feet;

53. thence leaving the center line of Dry Creek and along the boundary of ADDITION (293), South 00°58'28" East, 361.46 feet;

54. thence along a Northern line of ADDITION (293) and the South line of said Section 24, North 89°19'27" East, 710.06 feet, to the center line of Dry Creek;

55. thence continuing along the boundary of ADDITION (293) and the center line of Dry Creek, the following bearings and distances, South 58°38'55" East, 291.72 feet;

56. thence South 67°28'49" East, 73.30 feet;

57. thence South 59°43'19" East, 101.10 feet;

59. thence North 66°17'08" East, 152.36 feet, to a Northwestern corner of LINCOLN NO. 2 ADDITION (324), as per description filed November 19, 1974, as Instrument 19676, Stanislaus County Records;

60. thence continuing along the existing City Limits on a Northwestern line of said ADDITION (324), North 54°00'52" East, 244.37 feet, to a Northwestern corner of ADDITION (324) and a point on the Northern line of said Section 25;

61. thence leaving the existing City Limits and along the center line of Dry Creek, the following bearings and distances, North 64°55' East, 180.00 feet;

62. thence North 32°29'30" East, 308.77 feet;

63. thence North 12°50'50" West, 58.46 feet;

64. thence West, 32.00 feet;

65. thence North 18°30" West, 141.83 feet;

66. thence North 40°18'20" West, 109.76 feet;

67. thence North 29°52' West, 532.18 feet;

68. thence North 21°52'30" West, 144.93 feet;

69. thence North 45°00' East, 76.37 feet;

70. thence North 09°56' East, 57.00 feet;

71. thence Easterly along the center line of Dry Creek to the point of beginning, containing 165.5 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-497

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 29-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GLEN WILD/WILD SIGNS)

WHEREAS, on August 2, 1983, the City Council introduced Ordinance No. 2207-C.S. giving approval to a project relating to an amendment to Section Map 29-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 29-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-498

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR STORM DRAIN EXTENSION ON MANOR OAK DRIVE BETWEEN WALNUT TREE DRIVE AND LINCOLN OAK DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the storm drain extension on Manor Oak Drive between Walnut Tree Drive and Lincoln Oak Drive copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 23, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-499

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** SLURRY SEAL PROGRAM - 1981-82 AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** slurry seal program - 1981-82

**has been completed by** Ted R. Jenkins

**in accordance with the contract agreement dated** May 4, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** slurry seal program - 1981-82 **be accepted from said contractor,** Ted R. Jenkins;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $214,230.57 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-500

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** DOWNTOWN CITY STREETS - SECOND LAYER SLURRY SEAL AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** Downtown City streets - second layer slurry seal **has been completed by** Ted R. Jenkins

**in accordance with the contract agreement dated** May 4, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** Downtown City streets - second layer slurry seal **be accepted from said contractor,** Ted R. Jenkins;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $86,661.45 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norraine Coyle
**NORRAINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-501

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT WITH CONTRACTOR FOR REMOVAL, REPAIR AND REPLACEMENT OF WATER WELL PUMP NO. 29

WHEREAS, water well Pump No. 29 supports the water pressure in a satellite water system south of the Tuolumne River and an emergency situation occurred requiring immediate pump repair to maintain water pressure for the protecting against fire for this area of the City.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that an urgent necessity is hereby declared and formal bid procedure to execute a contract for removal, repair and replacement of water well Pump No. 29 is hereby waived.

BE IT FURTHER RESOLVED that execution of a contract for an estimated cost of $5,708.99 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Patterson , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-502

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF AN EXHIBIT SYSTEM FROM VINCENT CIULLA DESIGN FOR THE AMOUNT OF $5,848 (CITY PORTION)

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of an exhibit system for the McHenry Museum is hereby waived.

BE IT FURTHER RESOLVED that purchase of an exhibit system from Vincent Ciulla Design for the amount of $5,848 (City portion) is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-503

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** KINGSBURY PARK ESTATES FOR THE PURCHASE OF APPROXIMATELY 3.605± ACRES OF THEIR LAND NEEDED FOR DRY CREEK PARK

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Kingsbury Park Estates for the purchase of approximately 3.605± acres of their land needed for Dry Creek Park

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-504

A RESOLUTION ACCEPTING THE CALIFORNIA CONSERVATION CORP GRANT FOR $19,951 FOR PARK RESTORATION AND REFORESTATION OF THE DRY CREEK PARK AREA

WHEREAS, at their meeting of June 21, 1983, the City Council passed a resolution indicating they would accept a California Conservation Corp grant made available through the Small Business Administration for local public agencies for park restoration and reforestation; and

WHEREAS, the City of Modesto has been notified that its grant application for the cleanup and replanting of trees along the Dry Creek waterways has been approved.

NOW, THEREFORE BE IT RESOLVED that the City of Modesto shall accept the California Conservation Corp grant in the amount of $19,951 for park restoration and reforestation of the Dry Creek Park area.

BE IT FURTHER RESOLVED that the execution of the grant acceptance by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Patterson , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-505

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE CALIFORNIA CONSERVATION CORP TO PROVIDE MATERIAL AND LABOR FOR PARK RESTORATION AND REFORESTATION OF THE DRY CREEK PARK AREA

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the California Conservation Corp to provide the tree and plant materials, tools and crews to perform the work necessary,with City personnel providing some technical direction to the crews

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-506

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** DONALD GROVER, AIA, AND ASSOCIATES, FOR THE PREPARATION OF THE PLANS AND SPECIFICATIONS FOR A PORTION OF THE BASEMENT OF THE MCHENRY MANSION RESTORATION PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Donald Grover, AIA, and Associates, for the preparation of the plans and specifications for a portion of the basement of the McHenry Mansion restoration project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-507

**A RESOLUTION APPROVING** SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY OF MODESTO AND DONALD GROVER, AIA, AND ASSOCIATES, FOR THE PREPARATION OF THE PLANS AND SPECIFICATIONS FOR A PORTION OF THE BASEMENT OF THE MCHENRY MANSION RESTORATION PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the** Supplemental Agreement No. 1 between the City of Modesto and Donald Grover, AIA, and Associates, for the preparation of the plans and specifications for a portion of the basement of the McHenry Mansion restoration project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August**, 19** 83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Patterson**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-508

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $5,150 FROM CONTINGENCY RESERVE TO COVER FEES TO PREPARE PLANS AND SPECIFICATIONS FOR A PORTION OF THE BASEMENT AT THE MCHENRY MANSION

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Contingency for Pending Reserve Projects (61-04 8911 18) | $5,150 |
| TO: | McHenry Mansion Restoration (6726 7101 18) | $5,150 |

This transfer is necessary to cover the fees to prepare the plans and specifications for a portion of the basement at the McHenry Mansion. Project includes rest room, lift pump, elevator shaft excavation, partial new basement floor, reinforcing basement walls, storage and utility room.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-509

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** LEO AND BICE MENUZ FOR THE ACQUISITION OF 0.03± ACRE OF THEIR PROPERTY NEEDED FOR THE SCENIC-COUNTY HOSPITAL TO SUNNYSIDE PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Leo and Bice Menuz for the acquisition of 0.03± acre of their property needed for the Scenic - County Hospital to Sunnyside project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-510

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GREAT AMERICAN INSURANCE COMPANY THROUGH GIDDINGS, CORBY & HYNES, INC. FOR RENEWAL OF INSURANCE COVERING THE PROPERTY WITHIN THE MCHENRY MUSEUM, MCHENRY MANSION, MCCLURE HOUSE AND CITY HALL (SCHEDULED ARTICLES FLOATER INSURANCE POLICY)

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Great American Insurance Company through Giddings, Corby & Hynes, Inc. for renewal of insurance covering the property within the McHenry Museum, McHenry Mansion, McClure House and City Hall (scheduled articles floater insurance policy) **be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 2nd **day of** August, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-511

A RESOLUTION CLOSING THE PUBLIC ALLEY IN BLOCK 68 BOUNDED BY 10TH, 11TH, I AND J STREETS IN THE CITY OF MODESTO TO VEHICULAR TRAFFIC AT SPECIFIED TIMES.

WHEREAS, the Council of the City of Modesto adopted Resolution No. 83-486 on July 19, 1983, declaring its intention to close the public alley in Block 68, bounded by 10th, 11th, I and J Streets in the City of Modesto, to vehicular traffic at specified times, and

WHEREAS, the closure of the alley in Block 68 approximately 120 feet southeast of J Street and at the alley's intersection with 10th Street in the City of Modesto to vehicular traffic at specified times is more particularly shown on the drawing entitled "Proposed Alley Closure--Block 68," dated July 19, 1983, which is on file in the office of the City Clerk, and

WHEREAS, said Resolution No. 83-486 was published in The Modesto Bee, the official newspaper of the City of Modesto, once each week for two (2) successive weeks prior to the hereinafter referred to hearing, and

WHEREAS, the Director of Planning and Community Development of the City of Modesto has caused notices of said proposed public alley closure in Block 68 to be posted conspicuously along the line of said public alley proposed to be closed at least fourteen (14) days before the date of the hereinafter referred to hearing in the manner specified by law, and

WHEREAS, a hearing was held on Tuesday, August 9, 1983, at the hour of 7:30 o'clock p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time all persons interested in or objecting to the proposed public alley closure were afforded the opportunity to appear, and

WHEREAS, all things and acts necessary to be done as required by Division 9, Part 3, of the Streets and Highways Code of the State of California in order to close said public alley in Block 68 to vehicular traffic at specified times have been done and accomplished, and

WHEREAS, the Council finds and declares that the closure of the alley in Block 68 approximately 120 feet southeast of J Street and at the alley's intersection with 10th Street to vehicular traffic at specified times, subject to the conditions hereinafter set forth, is in the public interest for the following reasons:

1. Use of the alley during the specified times is unnecessary for present or prospective alley purposes.

2. Closure of the alley during the specified times would allow an outdoor mall concept to be created on adjacent property in conjunction with a private redevelopment project which would benefit the downtown area in general.

3. Access needs for service and delivery vehicles can be met by keeping the alley open during other than the specified closure times.

4. Use of the encroachment permit procedure for closure of the alley during the specified times will insure provisions for full time access by emergency and utility vehicles.

and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that it hereby orders and declares the closure of the alley in Block 68 approximately 120 feet southeast of J Street and at the alley's intersection of 10th Street to vehicular traffic during the following specified times, the closure to be

as shown on the drawing entitled, "Proposed Alley Closure--Block 68," dated July 19, 1983, which is on file in the office of the City Clerk, and more particularly described on Exhibit "A" which is attached hereto and made a part hereof as though set forth in full herein, said closure of the alley in Block 68 being subject to the following conditions:

1. That the closure be authorized only between the hours of 11:00 a.m. to 3:00 p.m. and 5:00 p.m. to 10:00 p.m. each day.

2. That prior to implementation of the closure the applicants shall secure an encroachment permit from the Director of Engineering Services. Detailed plans for closure gates or barriers and any other proposed encroachment into the alley shall be submitted for approval by the Director of Engineering Services as part of the application for an encroachment permit.

3. That the Council shall review the closure of the alley twelve months after implementation of the closure to determine the effect of the closure on adjacent properties and businesses.

BE IT FURTHER RESOLVED that the Council reserves the right to modify or rescind the closure of the alley in Block 68 in the City of Modesto authorized by this resolution at any time that the Council determines, in the Council's sole discretion, that use of the alley in Block 68 in the City of Modesto by vehicular traffic for additional hours each day or at all times is necessary for vehicular traffic needs.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the closure of the alley in Block 68 approximately 120 feet southeast of J Street and at the alley's intersection of 10th Street in the City of Modesto, County of Stanislaus, State of California, to vehicular traffic at specified times.

BE IT FURTHER RESOLVED that the City Clerk shall cause a certified copy of this resolution attested under the seal of the City, to be recorded in the Office of the County Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside Mayor Mensinger

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Mackie
Department of Planning and
Community Development

LD 78-K
Parcel 68-7

Exhibit "A"

VACATE AND ABANDON A PORTION OF THE ALLEY
IN BLOCK 68

All that real property in the City of Modesto, County of Stanislaus, State of California, being a portion of the Southeast quarter of Section 29, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the most Easterly corner of Lot 21 in Block 68 of the CITY OF MODESTO, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records; thence along the Northeastern line of said Lot 21, North 43° 29' 30" West, 19.90 feet, to the most Easterly corner of Parcel "A", as per map filed February 28, 1980 in Book 30 of Parcel Maps, Page 32, Stanislaus County Records; thence along the Southeastern line of said Parcel "A", South 46° 30' 30" West, 140.07 feet, to the most Southerly corner of Parcel "A"; thence along the Southwesterly line of Parcel "A", said line also being the Northeastern line of 80.00 foot Tenth Street, North 43° 29' 30" West, 28.50 feet, to the most Westerly corner of Parcel "A"; thence along the Northwestern line of Parcel "A", North 46° 30' 30" East, 130.07 feet; thence North 01° 29' 00" East, 14.15 feet, to the most Northerly corner of Parcel "A" and a point on the Southwestern line of the 20.00 foot alley in Block 68; thence along said Southwestern line of the alley, said line also being the Northeastern line of Lots 23, 24, 25, 26, 27 and 28 in Block 68, North 43° 29' 30" West, 124.93 feet; thence North 46° 30' 30" East, 20.00 feet, to a point on the Northeastern line of said 20.00 foot alley in Block 68; thence along said Northeastern line of the alley, said line being the Southwestern line of Lots 5, 6, 7, 8, 9, 10, 11, and 12, in Block 68, South 43° 29' 30" East, 183.33 feet, to the most Southerly corner of said Lot 12; thence South 46° 30' 30" West, 20.00 feet, to the point of beginning.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-512

A RESOLUTION DENYING THE APPEAL OF GORDON M. HART, INC. ON BEHALF OF ROGERS DEVELOPMENT CORPORATION TO A BOARD OF ZONING ADJUSTMENT DECISION DENYING A VARIANCE TO PERMIT DEVELOPMENT WITHOUT THE REQUIRED AMOUNT OF OFF-STREET PARKING ON THE EAST SIDE OF 10TH STREET BETWEEN I AND J STREETS.

WHEREAS, an application for a variance from the provisions of Section 10-2.1804 of the Modesto Municipal Code to permit development without the required amount of off-street parking on the east side of 10th Street between I and J Streets was filed by Rogers Development Corporation on May 31, 1983, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2001 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant variances subject to findings specified in Section 10-2.2003, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on June 23, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, by Resolution No. 1120, the Board of Zoning Adjustment found and determined that the required findings for a variance could not be made because:

1. There are no exceptional or extraordinary circumstances applicable to the property or any property right possessed by others which would be denied to the applicant if the variance was not granted.

2. Other businesses in the vicinity have made in-lieu parking payments to cover parking deficiencies.

and

WHEREAS, an appeal was filed with the City Council of the City of Modesto by letter dated July 8, 1983, by Gordon M. Hart, Inc. on behalf of

Rogers Development Corporation, to the decision of the Board of Zoning Adjustment denying a variance to Rogers Development Corporation to permit development without the required amount of off-street parking on the east side of 10th Street between I and J Streets, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on August 9, 1983, and

WHEREAS, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that said appeal to the decision of the Board of Zoning Adjustment should be denied and that the decision of the Board of Zoning Adjustment should be affirmed for the reasons set forth by the Board of Zoning Adjustment in its Resolution No. 1120 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Gordon M. Hart, Inc. on behalf of Rogers Development Corporation, to the Board of Zoning Adjustment decision denying a variance to permit development without the required amount of off-street parking on the east side of 10th Street between I and J Streets, is hereby denied for the reasons set forth above, and the decision of the Board of Zoning Adjustment is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1983, by Councilmember

Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-513

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF PLAYGROUND APPARATUS IN EAST LA LOMA NEIGHBORHOOD PARK (ROBERTI-Z'BERG GRANT PROJECT #BG50-501)

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of playground apparatus in East LaLoma Neighborhood Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 30, 1983 at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-514

A RESOLUTION ACCEPTING THE BID OF CENTRAL PUMP FOR THE RECONSTRUCTION OF PUMP STATION NO. 28

WHEREAS, Resolution No. 83-475 adopted by the Council of the City of Modesto on July 12, 1983 , approved the plans and specifications for the reconstruction of Pump Station No. 28 and authorized the calling for bids; and

WHEREAS, the bids received for the reconstruction of Pump Station No. 28 were opened at 11:00 a.m. on August 2, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Central Pump in the amount of $20,318 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Central Pump in the amount of $20,318 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August , 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Whiteside , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-515

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** WATERLINE EXTENSION ON LONE PALM AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** waterline extension on Lone Palm **has been completed by** Joe Martin Pipeline, Inc.

**in accordance with the contract agreement dated** April 26, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** waterline extension on Lone Palm **be accepted from said contractor,** Joe Martin Pipeline, Inc.;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $35,506.10 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 9th **day of** August, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-516

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING MISTLETOE REMOVAL SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing mistletoe removal services

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 6, 1983, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-517

A RESOLUTION ACCEPTING THE BID OF SUNSHIRE JANITORIAL SERVICES FOR JANITORIAL SERVICES AT AMERICAN LEGION HALL

WHEREAS, Resolution No. 83-434 adopted by the Council of the City of Modesto on May 17, 1983 , approved the plans and specifications for the janitorial services at American Legion Hall and authorized the calling for bids; and

WHEREAS, the bids received for the janitorial services at American Legion Hall were opened at 2:00 p.m. on July 19, 1983 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Sunshine Janitorial Services in the amount of $4,400 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Sunshine Janitorial Services in the amount of $4,400 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August , 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Whiteside , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-518

A RESOLUTION AUTHORIZING THE DIRECTOR OF ENGINEERING SERVICES TO ISSUE AN ENCROACHMENT PERMIT TO THE COMMUNICATIONS WORKERS OF AMERICA FOR A TARP OR AWNING IN FRONT OF 3705 OAKDALE ROAD, IN THE CITY OF MODESTO.

WHEREAS, the Communications Workers of America have requested an encroachment permit to erect a tarp or awning in front of 3705 Oakdale Road, in the City of Modesto, and

WHEREAS, the Director of Engineering Services has recommended that the City Council authorize him to issue the requested encroachment permit, subject to certain conditions

1. That the application form be signed by the owner or occupant of the adjacent property, or at the very least, a written document be received from the owner or occupant stating that he does not object to the issuance of the requested encroachment permit.

2. That the Director of Engineering Services set a time limit by which the encroachment shall be removed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize the Director of Engineering Services to issue an encroachment permit to the Communications Workers of America to erect a tarp or awning in front of 3705 Oakdale Road, in the City of Modesto, subject to the following conditions:

1. That the applicant is to file an application on the form attached hereto.

2. That the application form must be signed by the owner or occupant of the adjacent property, or a written document be received from the owner or occupant stating that he/she does not object to the issuance of the requested encroachment permit.

3. That the applicant comply with all of the conditions set forth in the application form.

4. That the Director of Engineering Services shall set a time limit by which the encroachment shall be removed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

City of Modesto Date: _____

APPLICATION FOR ENCORACHMENT PERMIT

As provided in Section 7-1.10b of the Modesto Municipal Code, I apply for an Encorachment Permit.

My name is _____

My mailing address is _____

The location of the property at which the proposed encroachment is to be made

is _____

The name of the person who will perform the work is _____

The nature, dimensions, and description of the proposed work or encroachment

is _____

_____

The encroachment is necessary for the full use and enjoyment of my property

because _____

There is no other reasonable or convenient place that I can construct or install the encroachment.
The encroachment will not be unsightly or create a nuisance.
The encroachment will not unreasonably interfere with the right of the public in the sidewalk-planter area in the adjacent street.
The encroachment will be constructed or installed in such a manner that it will not be a hazard to the public in the sidewalk-planting area or in the adjacent street.
The encroachment can be removed at any time in the future that the permit may be revoked.

If the permit is issued, I agree to the following conditions:

1. I will indemnify and hold the City of Modesto and its officers, agents and employees free and harmless from any and all damages, costs, charges or liability of any kind or character that may arise out of, relate to, or in any way be connected with the exercise of the rights granted the permittee by this permit.

.2 I will defend, at my own cost and expense, any and all lawsuits that may arise out of or be connected in any way with the exercise of the right granted by this permit.

3. I will comply with all laws, ordinances, and regulations of the City of Modesto, County of Stanislaus, and State of California that relate to or affect the right granted by this permit.

4. I will obtain and keep in force during the time this permit is outstanding, a policy of public liability insurance covering any and all claims for bodily injury, sickness and disease, including death resulting therefrom, or damage to property arising from the use of the sidewalk area for the herein permitted encroachment. Said insurance shall be in the amount of One Hundred Thousand Dollars ($100,000.00) for any one person and Three Hundred Thousand Dollars ($300,000.00) for any one accident or occurence for bodily injury, sickness and disease, including death resulting therefrom, and One Hundred Thousand Dollars ($100,000.00) for claims for property damage. The policy of insurance so obtained shall contain a contractural liability endorsement covering the liability assumed by permittee under the terms of this permit. A certificate evidencing the policy of public liability insurance shall be filed and maintained with the City Clerk and shall provide that the policy may not be cancelled except after thirty (30) days' notice in writing to the City Clerk.

5. I will install and maintain the encroachment in such a manner that it shall not become a nuisance or be hazardous to the public using the sidewalk area.

6. I will install and maintain the encroachment to the satisfaction of the Director of Public Works.

7. I understand that this permit will be binding on all successors, assigns and heirs of the permittee.

8. I understand this permit will be revocable at any time by the City Council.

9. I understand I must accept this permit and all of its conditions in writing, and no right or privileges shall be conferred by the permit until it has been so accepted, and a certificatge evidencing the required insurance has been filed with the City Clerk.

10. I understand that:

    a. Action by the City Council does not in itself constitute a permit, but it is normally an authorization for the City staff to issue an encroachment permit.

    b. If the City Council acts affirmatively on this application, that I must appear at the Public Works Permits Section, second floor of City Hall, to obtain the actual encroachment permit and to pay the prescribed permit fees.

Signature of Applicant

MODESTO CITY COUNCIL
RESOLUTION NO. 83-519

A RESOLUTION APPROVING THE FINAL MAP OF THE RACQUET CLUB TOWNHOUSES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Fred A. Earle III, Inc., a California corporation

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 4.886 acres, known as the RACQUET CLUB TOWNHOUSES Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 7th day of March, 1983, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said RACQUET CLUB TOWNHOUSES Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Council-

member Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-520

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GUARANTEE SAVINGS FOR WATER MAIN INSTALLATION IN OAKWOOD ESTATES NO. 2 AND NO. 3

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Guarantee Savings for water main installation in Oakwood Estates No. 2 and No. 3

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 9th **day of** August**, 19**83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-521

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GUARANTEE SAVINGS FOR STORM DRAIN INSTALLATION IN OAKWOOD ESTATES NO. 2 AND NO. 3

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Guarantee Savings for storm drain installation in Oakwood Estates No. 2 and No. 3

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 9th **day of** August**, 19** 83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-522

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ROBERT NEUGEBAUER FOR LEASE OF LAND ACQUIRED FOR ORCHARD NEIGHBORHOOD PARK

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Robert Neugebauer for lease of land acquired for Orchard Neighborhood Park

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 9th **day of** August, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-523

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** VERTICAL MANAGEMENT SYSTEMS TO PROVIDE PROCESSING AND COLLECTION SERVICES FOR PARKING CITATIONS ISSUED BY THE CITY OF MODESTO

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Vertical Management Systems to provide processing and collection services for parking citations issued by the City of Modesto

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 9th **day of** August, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-524

A RESOLUTION AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 1983-84 TO RE-ESTIMATE REVENUES FOR PARKING FINES IN THE GENERAL FUND OF THE CITY OF MODESTO AND TO APPROPRIATE THE AMOUNT OF $35,000 FOR COLLECTION OF PARKING FINES BY VERTICAL MANAGEMENT SYSTEMS, INC.

WHEREAS, the City of Modesto is entering into an agreement with Vertical Management Systems, Inc. for the collection of parking fines, and

WHEREAS, said agreement requires an amendment to the Annual Budget of the City of Modesto for Fiscal Year 1983-84 to adjust estimated revenues and expenditure appropriations,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following changes to the Annual Budget of the City of Modesto for Fiscal Year 1983-84 be made:

1. The amount of $142,800 now estimated in revenue account no. 411, Parking Fines, of the General Fund, Fund No. 01, be increased $25,200 to $168,000.

2. The amount of $35,000 be appropriated in account 255.03-6502-01, Vertical Management Systems, Inc.

3. The amount of $2,882,872 now appropriated in account 61-02-8911-01, Reserve for Operating Contingencies, be reduced $9,800 to $2,873,072.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly

seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 525

A RESOLUTION ESTABLISHING ONE-WAY STREETS AND ALLEYS IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 83-292.

WHEREAS, Chapter 2 of Title III of the Modesto Municipal Code authorizes the City Council, by resolution, to establish one-way streets and alleys in the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. ONE-WAY STREETS AND ALLEYS. One-way streets and alleys are hereby established at the following locations:

(a) One-way Streets:

5th Street, from Maze Boulevard to Sierra Drive (southerly direction)

6th Street, from E Street to M Street (northerly direction)

9th Street (northeast portion), from Tully Road to Shoemake Avenue (northwesterly direction)

9th Street (southwest portion), from Tully Road to Shoemake Avenue (southeasterly direction)

14th Street, from D Street to Needham Street (southeasterly direction)

15th Street, from Burney Street to Needham Street (northwesterly direction)

17th Street, from G Street to J Street (southeasterly direction)

19th Street, from Burney Street to H Street (northwesterly direction)

Briggsmore Avenue (south portion), from Sherwood Avenue to McHenry Avenue (easterly direction)

Briggsmore Avenue (south portion), from McHenry Avenue to Oakdale Road (easterly direction)

Briggsmore Avenue (north portion), from McHenry Avenue to Oakdale Road (westerly direction)

California Street, from Jefferson Street to Paradise Road (westerly direction)

Downey Avenue, from Burney Street to 19th Street (westerly direction)

Downey Avenue, from I Street to McHenry Avenue (westerly direction)

First Street, from G Street to H Street (southeasterly direction)

G Street, from First Street to Burney Street (northeasterly direction)

Grand Street, from D Street to Las Flores Avenue (easterly direction)

H Street, from First Street to 19th Street (southwesterly direction)

Haddon Avenue, from La Loma Avenue to Santa Barbara Avenue (easterly direction)

Jennie Street, from Burney Street to Las Flores Avenue (westerly direction)

K Street, from 9th Street to Needham Street (northeasterly direction)

L Street from 9th Street to Needham Street (southwesterly direction)

La Loma Avenue, from Burney Street to H Street (northwesterly direction)

Sycamore Avenue (east portion), from Griswold Avenue to north side of Block 724 (northerly direction)

Sycamore Avenue (west portion), from Griswold Avenue to north side of Block 724 (southerly direction)

(b) <u>One-way Alleys:</u>

Between 1st and 2nd Streets, from H Street to G Street (southeasterly direction)

Between 2nd and 3rd Streets, from Washington Street to I Street (southeasterly direction)

Between 9th and 10th Streets, from I Street to K Street (southeasterly direction)

Between 10th and 11th Streets, from I Street to J Street (northwesterly direction)

Between 10th and 11th Streets, from 100 feet north of J Street to K Street (northwesterly direction)

Between 10th and 11th Streets, from K Street to L Street (southeasterly direction)

Between 11th and 12th Streets, from I Street to J Street (southeasterly direction)

Between 11th and 12th Streets, from J Street to K Street (northwesterly direction)

Between 12th and 13th Streets, from I Street to K Street (northwesterly direction)

Between Locke Road and Downey High School, from Coffee Road to Brighton Avenue (easterly direction)

Between College and the TSRR Tracks, from Rumble to Leveland (southerly direction)

Between June Drive and Timothy Avenue, from Briggsmore Avenue to Judith Lane (southerly direction)

Between McHenry and Sherwood from 130 feet south of Leveland Lane to Leveland Lane (northerly direction)

Between McHenry and Timothy beginning 136 feet north of Granger and continuing northerly 285 feet (northerly direction)

Between Sheridan Street and Chicago Avenue, from Hudson Lane to Paradise Road (southeasterly direction)

Between Sutter and Alturas Avenues, Tuolumne Boulevard and Western Way, from Alturas Avenue to Sutter Avenue, (westerly direction)

SECTION 2. The provisions of this resolution shall become effective upon adoption except as they apply to Grand Street, Jennie Street, K Street, L Street, 14th Street and 15th Street. The provisions of this resolution as they apply to Grand Street, Jennie Street, K Street, L Street, 14th Street and 15th Street shall become effective and be in full force and operation when proper signs are posted by the State of California, Department of Public Works, Division of Highways.

SECTION 3. The Director of Parking and Traffic is hereby directed to implement the provisions of this resolution.

SECTION 4. Resolution No. 83-292 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-526

A RESOLUTION ESTABLISHING ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 83-292.

WHEREAS, Chapter 2 of Title III of the Modesto Municipal Code authorizes the City Council, by resolution, to establish angle parking in the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. ANGLE PARKING. Angle parking is hereby established at the following locations:

Angle Parking:

18th Street, between G and H Streets (west side) (diagonal)

Chestnut Street, between Jefferson and Madison Streets (south side) (diagonal)

College Avenue, beginning at a point on the west curb line of College Avenue 60 feet north of the north curb line of Orangeburg Avenue and continuing north on College Avenue a distance of 202 feet (diagonal)

Concord Avenue, beginning at a point on the east curb line of Concord Avenue 58 feet north of the north curb line of Orangeburg Avenue and continuing north on Concord a distance of 200 feet (diagonal)

Jefferson Street, between Chestnut and Elm Streets (west side) (diagonal)

F Street, between 10th and 11th Streets (south side) (diagonal)

I Street, between 9th and 12th Streets (both sides) (diagonal)

P Street, between 9th and Needham Streets (both sides) (diagonal)

SECTION 2. The Director of Parking and Traffic is hereby directed to implement the provisions of this resolution.

SECTION 3. Resolution No. 83-292 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-527

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON PROPOSED AMENDMENTS TO SECTIONS 10-2.3502, 10-2.3509, AND 10-2.3510 OF THE ZONING ORDINANCE PERTAINING TO SIGN REGULATIONS

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** September 6, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** amendments to Sections 10-2.3502, 10-2.3509, and 10-2.3510 of the Zoning Ordinance pertaining to Sign Regulations.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 9th **day of** August**, 19**83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-528

A RESOLUTION AMENDING THE APPROVED ANNUAL TRANSPORTATION CLAIM FOR NON-MOTORIZED FUNDS FOR FISCAL YEAR 1983-84.

WHEREAS, the Council of the City of Modesto approved submission of the 1983-84 Annual Transportation Claim to the Stanislaus Area Association of Governments (SAAG) by Resolution No. 83-362 dated June 7, 1983, and

WHEREAS, SAAG changed the requirements for the claim of non-motorized funds, and

WHEREAS, it is necessary to amend our claim for non-motorized funds in accordance with priorities established by SAAG,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the amount of $159,821 claimed from non-motorized funds for fiscal year 1983-84 be increased by $87,545 to $247,366.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that submission of the amended City of Modesto Annual Transportation Claim for Non-motorized Funds for fiscal year 1983-84 by the City of Modesto to the Stanislaus Area Association of Governments (SAAG) in the amount of $247,366 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1983, by

Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-529

A RESOLUTION APPROVING THE REQUEST OF AMERICAN HOME VIDEO CORPORATION DBA VIDEOCONCEPTS FOR REFUND OF OVERPAYMENT OF MILL TAX IN THE AMOUNT OF $898.49

BE IT RESOLVED by the Council of the City of Modesto that the request of American Home Video Corporation dba Videoconcepts for refund of $898.49 for overpayment of their City mill tax is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-530

A RESOLUTION APPOINTING MEMBERS OF THE D.I.D. ADVISORY BOARD (ROBERT WIRTH AND BILL VIEIRA)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the D.I.D. Advisory Board for the respective term as indicated:

Robert Wirth
917 Tenth St. (Business)
Modesto, Ca. 95355
Term to expire 3/28/87

Bill Vieira
920 12th St. (Business)
Modesto, Ca. 95354
Term to expire 3/28/87

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the D.I.D. Advisory Board and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Patterson, Sutton, Mayor Mensinger

NOES: Councilmembers: Muratore, Whiteside

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-531

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 14-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GRANT CONSTRUCTION COMPANY)

**WHEREAS, on** August 16, 1983, **the City Council** introduced Ordinance No. 2208-C.S. **giving approval to a project relating to** an amendment to Section Map 14-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(329), to Low Density Residential Zone, R-1, **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 14-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(329), to Low Density Residential Zone, R-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-532

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CORPORATION YARD EXPANSION FOR VEHICLE PARKING IN BLOCK 437

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the Corporation Yard expansion for vehicle parking in Block 437

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 30, 1983, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-533

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR RESIDENTIAL ALLEY PAVING PROGRAM - PROJECT NO. 10

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for residential alley paving program - Project No. 10

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 30, 1983, at 11:10 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-534

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR THE CONSTRUCTION OF TEMPORARY BUS PARKING EXPANSION

WHEREAS, Resolution No.83-461, adopted by the Council of the City of Modesto on July 5, 1983, approved the plans and specifications for the construction of temporary bus parking expansion and authorized the calling for bids; and

WHEREAS, the bids received for the construction of temporary bus parking expansion were opened at 11:00 a.m. on July 26, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of The Flintkote Company in the amount of $64,900 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Flintkote Company in the amount of $64,900 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-535

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF CHRISTMAS DECORATIONS FROM VALLEY DECORATING COMPANY

WHEREAS, the Downtown Improvement District is requesting the purchase of new Christmas decorations; and

WHEREAS, because specifications are impractical for this type of purchase and because the D.I.D. is trying to match remaining decorations, it is the recommendation of staff that formal bid procedures be waived and Council authorize the purchase of $8,853 worth of Christmas decorations from Valley Decorating Company.

THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of Christmas decorations is hereby waived.

BE IT FURTHER RESOLVED that purchase of Christmas decorations from Valley Decorating Company for the total price of $8,853 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Patterson , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-536

A RESOLUTION APPROVING THE FINAL MAP OF THE DOWNTOWN PLAZA SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, JOHN A. SANDERS and MARY ANN SANDERS, husband and wife; CORNELIUS de GRAFF and NANCY J. de GRAFF, husband and wife; JAMES J. LOMMEL and NANCY C. LOMMEL, husband and wife; and KENNETH O. DIEHL and DOROTHY M. DIEHL, husband and wife ~~is~~ (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 0.965 acres, known as the DOWNTOWN PLAZA Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 17th day of May, 1982, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said DOWNTOWN PLAZA Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Council-

member Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-537

A RESOLUTION APPROVING THE FINAL MAP OF THE CORSON ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Ronald D. Smith and Kathi A. Smith, husband and wife

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.54 acres, known as the Corson Estates Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 18th day of April, 1983, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Corson Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Council-

member Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-538

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE BANK OF AMERICA FOR THE ACQUISITION OF THEIR SHARE OF A BICYCLE EASEMENT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Bank of America for the acquisition of their share of a bicycle easement at Encina and El Conejo

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 16th **day of** August, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Maurine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-539

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** P.G. & E. FOR STANDBY GAS SERVICE FACILITIES

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** P.G. & E. for standby gas service facilities to be installed to supplement our methane gas supply for refueling vehicles on an as needed basis

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 16th **day of** August, **19** 83, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-540

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** NATHAN J. AND EUNICE M. PROVINCE, DBA PACITIC AIRCRAFT SERVICES, FOR LEASE OF HANGAR NO. 3 AT THE AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Nathan J. and Eunice M. Province, dba Pacific Aircraft Services, the the lease of Hangar No. 3 at the Modesto City/County Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 16th **day of** August, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-541

A RESOLUTION VACATING A PORTION OF A 12-FOOT BIKE PATH AND PUBLIC UTILITY EASEMENT IN BLOCKS 13148 AND 13149 IN THE CITY OF MODESTO PURSUANT TO THE CALIFORNIA STREETS AND HIGHWAYS CODE.

WHEREAS, the California Streets and Highways Code authorizes a city council, by resolution, to summarily vacate easements, and

WHEREAS, there is an easement in Blocks 13148 and 13149 on the real property described in Exhibit "A" attached hereto, which is a portion of a 12-foot bike path and public utility easement, and

WHEREAS, the Council finds and declares that:

1. The vacation is made pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code (Sections 8330 et seq.).

2. The date of dedication or acquisition is less than five years and more than one year immediately preceding the proposed vacation, and the easement was not used continuously since that date.

3. That from and after the date this resolution is recorded, the easement vacated will no longer constitute a bike path and public utility easement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the portion of the 12-foot bike path and public utility easement in Blocks 13148 and 13149 in the City of Modesto which is described in Exhibit "A", which is attached hereto and incorporated by reference herein be, and it is hereby vacated, such vacation to be effective upon the recording of a certified copy of this resolution in the Stanislaus County Recorder's Office.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Jerry H. Butler
Engineering Services



081583

0003a0104awpc

LD 83-A
Parcel 13148-1

VACATE AND ABANDON 12' BIKE PATH AND PUBLIC
UTILITY EASEMENT IN BLOCKS 13148 and 13149

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northwest quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Southeastern corner of Lot 10 in Block 13148 of the RESUBDIVISION OF THE VINEYARD NO. 1 SUBDIVISION, as per map filed August 26, 1981, in Volume 29 of Maps, Page 110, Sanislaus County Records, said point being on the Northern line of 100.00 foot Standiford Avenue; thence along an Eastern line of said Lot 10, North 01° 13' 30" West, 451.79 feet; thence along a Southeastern line of Lot 10, North 43° 46' 30" East, 49.50 feet; thence along an Eastern line of Lot 10, North 01° 13' 30" West, 49.48 feet, to the Southeastern corner of Block 13149; thence along said Eastern line of Block 13149, North 01° 13' 30" West, 380.00 feet, to the Northeastern corner of Block 13149 and a point on the Northern line of said Resubdivision of the Vineyard No. 1 Subdivision; thence along said last mentioned Northern line, North 88° 46' 43" East, 12.00 feet, to the Northeastern corner of the Resubdivision of The Vineyard No. 1 Subdivision; thence along an Eastern line of the Resubdivision of The Vineyard No. 1 Subdivision, said line being a Western line of the Tidewater Southern Railway Company Right of Way, South 01° 13' 30" East, 469.45 feet; thence South 88° 46' 30" West, 35.00 feet; thence continuing along said Western line of the Tidewater Southern Railway Company Right of Way, South 01° 13' 30" East, 446.76 feet, to a point on said Northern line of 100.00 foot Standiford Avenue, said point being on a non-tangent curve from which point a radial line bears North 01° 32' 54" West; thence Westerly along said non-tangent curve concave to the North, having a Radius of 4950.00 feet, a Central Angle of 00° 08' 20" and an Arc Length of 12.00 feet, to said Southeastern corner of Lot 10 in Block 13148, from which point a radial line bears North 01° 24' 34" West, and the end of this description.

EXCEPTING THEREFROM the following described property:

Beginning at the Northeastern corner of Lot 19 in Block 13149 of said Resubdivision of The Vineyard No. 1 Subdivision; thence along the Easterly extension of the Southern line of said Lot 19, North 88° 46' 30" East, 12.00 feet, to a point on said Western line of the Tidewater Southern Railway Company Right of Way; thence along said Western line of the Tidewater Southern Railway Company Right of Way, North 01° 13' 30" West, 20.00 feet; thence South 88° 46' 30" West, 5.00 feet; thence South 01° 13' 30" East, 15.00 feet; thence South 88° 46' 30" West, 7.00 feet, to the Eastern line of said Lot 19 in Block 13149; thence along said Eastern line of Lot 19 in Block 13149, South 01° 13' 30" East, 5.00 feet, to the point of beginning.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 83-542

A RESOLUTION AUTHORIZING A PUBLIC AUCTION FOR SALE OF SURPLUS, STOLEN AND LOST ARTICLES ACCUMULATED BY THE CITY OF MODESTO.

WHEREAS, the City of Modesto's Finance Department proposes to hold a public auction in the City-owned warehouse in the 200 block of Chestnut Street on September 24, 1983, to sell surplus, stolen and lost property accumulated by the City of Modesto, and

WHEREAS, a detailed list of all items to be sold at said proposed auction will be presented to the City Council for approval prior to the auction, and

WHEREAS, it is desirable to authorize said proposed auction at this time to insure that there is adequate time to inform the public of the date, time and location of said auction,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize a public auction to be held by the City of Modesto on September 24, 1983, to sell surplus, stolen and lost property accumulated by the City of Modesto

BE IT FURTHER RESOLVED that a detailed list(s) of the items to be sold at said auction shall be submitted to this Council for approval prior to said auction. At least five (5) days before the time fixed for the sale, the City Clerk shall cause notice thereof to be published in The Modesto Bee, the official newspaper of the City of Modesto. Said notice shall set forth the time and place of the sale, and that a list of the items of property to be offered for sale can be inspected in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-543

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF THE 200 BLOCK OF CHESTNUT STREET TO PUBLIC USE TO HOLD A PUBLIC AUCTION FOR SALE OF SURPLUS, STOLEN AND LOST ARTICLES ACCUMULATED BY THE CITY OF MODESTO.

WHEREAS, the City of Modesto's Finance Department proposes to hold a public auction in the City-owned warehouse in the 200 block of Chestnut Street on September 24, 1983, to sell surplus, stolen and lost property accumulated by the City of Modesto, and

WHEREAS, the Finance Department has requested permission from the City Council to temporarily close the 200 block of Chestnut Street on September 24, 1983, in order that the above referred to public auction may be held on September 24, 1983, and

WHEREAS, the City of Modesto owns and controls all of the property on both sides of the 200 block of Chestnut Street,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize the temporary closure of the 200 block of Chestnut Street on September 24, 1983, for a public auction to be held by the City of Modesto on September 24, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-544

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (BLOCK 812, 820, 1260, 1307, 3088, 6018, 6058 and 6109)

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did set the 23rd day of August, 1983, at 7:30 p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work at the following locations:

a. Block 812 - College - Mills/Yale-Harvard
b. Block 820 - College - Mills/Stanford - Princeton (excepting the south half of north-south leg)
c. Block 1260 - Morene Way - Paulette/Briggsmore - Coolidge
d. Block 1307 - Vista - Devonshire/Dorchester - Strathmore
e. Block 3088 - Elsie - Rouse/Sutter - Placid
f. Block 6018 - Del Vale - Kearney/Cherrywood - Roseburg
g. Block 6058 - W. Orangeburg - Marian/Alma - Magnolia (north-south leg)
h. Block 6109 - Glenwood - Pearl/Del Vale - Carver (east-west leg); and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton

NOES: Councilmembers: Whiteside

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-545

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE ORCHARD AREA DRAINAGE BASIN

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the Orchard Area drainage basin

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 20, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-546

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE REPLACEMENT OF 24-INCH FORCE MAIN EAST OF SCENIC DRIVE LIFT STATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the replacement of 24-inch force main east of Scenic Drive lift station copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 20, 1983, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-547

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC., FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN BLOCK 101

WHEREAS, Resolution No.83-488, adopted by the Council of the City of Modesto on July 26, 1983, approved the plans and specifications for the construction of waterline extension in Block 101 and authorized the calling for bids; and

WHEREAS, the bids received for the construction of waterline extension in Block 101 were opened at 11:00 a.m. on August 16, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Joe Martin Pipeline, Inc. in the amount of $14,998.62 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $14,998.62 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-548

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING DREDGING SERVICES, AND OPENED IN THE OFFICE OF THE CITY CLERK ON AUGUST 9, 1983, AT 2:10 P.M., AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 83-481, adopted by the Council of the City of Modesto on July 19, 1983, approved the plans and specifications for furnishing dredging services to clear approximately 2.4 miles of drainage ditch at the remote ponding site, 7007 Jennings Road, and authorized the call for bids; and

WHEREAS, the bids received for furnishing dredging services were opened at 2:10 p.m. on July 19, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, from the crane or dredging contractors contacted in the area, only one responded to call for bids and failed to submit a performance bid bond assuring completion of the project within the time specified and was therefore disqualified.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the furnishing of dredging services, and opened in the office of the City Clerk at 2:10 p.m. on August 9, 1983, are hereby rejected.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that new call for bids for furnishing dredging services to be opened September 13, 1983, at 3:00 p.m. is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-549

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** BEN J. AND ROZELLE S. HOLGATE FOR THE ACQUISITION OF A 0.020± ACRE TEMPORARY EASEMENT NEEDED FOR THE PARALLEL OUTFALL LINE PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Ben J. and Rozelle S. Holgate for the acquisition of a 0.020± acre temporary easement needed for the parallel outfall line project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 23rd **day of** August**, 19** 83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-550

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** MUIR TRAIL GIRL SCOUT COUNCIL FOR RENTAL OF ROOMS 102, 200, 201, 203 AND 205 AT THE MODESTO COMMUNITY SERVICE CENTER

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Muir Trail Girl Scout Council for rental of Rooms 102, 200, 201, 203 and 205 at the Modesto Community Service Center

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 23rd **day of** August**, 19** 83**, by Councilmember** Patterson**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Whiteside |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-551

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** CALTRANS TO INSTALL LEFT-TURN SIGNALS ON MCHENRY AVENUE AT FLOYD

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Caltrans to install left-turn signals on McHenry Avenue at Floyd

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 23rd **day of** August, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-552

A RESOLUTION REVISING THE SPECIFICATIONS FOR THE CLASSIFICATIONS OF ADMINISTRATIVE ANALYST, MANAGEMENT ASSISTANT AND FIRE BATTALION CHIEF IN THE POSITION CLASSIFICATION PLAN OF THE CITY OF MODESTO.

WHEREAS, revisions to the job specifications for the classifications of Administrative Analyst, Management Assistant and Fire Battalion Chief in the City of Modesto's Position Classification Plan have been recommended by the City Manager, and

WHEREAS, the revisions to the job specifications for the classifications of Administrative Analyst and Management Assistant will modify the minimum employment standards, to read as follows: "Graduation from an accredited college or university. (A Master's degree in public or business administration is highly desirable and may be substituted for one year's experience).", and

WHEREAS, the revision to the job specification for the classification of Fire Battalion Chief will modify the minimum education requirement, to read as follows: "equivalent to an Associate of Arts or Science degree.",

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the job specifications for the positions of Administrative Analyst, Management Assistant and Fire Battalion Chief be revised as shown on the attached Exhibits "A", "B" and "C", respectively, which by this reference are made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED that the specifications for Administrative Analyst, Management Assistant and Fire Battalion Chief as shown on Exhibits "A", "B"and "C", respectively, are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

# ADMINISTRATIVE ANALYST

## DEFINITION

Under general supervision, to provide administrative staff support in organizational and systems studies, budget development analysis, and monitoring; to perform research and other technical analytical work; and to do related work as required.

## EXAMPLES OF DUTIES

Plans, recommends, monitors, and evaluates organizational system changes; develops, analyzes, and reviews divisional and department budgets; makes recommendations concerning the allocation of employees, equipment, and funds to various projects; makes written and oral reports as directed; attends various city commission and council meetings as assigned; reviews and responds to citizens requests for services; reviews and makes recommendations concerning pending legislation; may plan, supervise, and coordinate the work of subordinate personnel; may assist in department training programs; may review and make recommendations concerning department safety activities; studies existing procedures and makes recommendations for improvements; assists in public relations activities; provides statistical analysis concerning productivity and other related subjects.

## SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall complete twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Knowledge of:

Local, state and federal governmental structure and process;
Principles of organization, administration, and management;
Technical report writing styles;
Modern office methods and procedures;
Statistical methods and methods of graphic presentation;
Completed staff work in oral and written presentations.

and

*Ability to:*

*Analyze and interpret factual data;*
Speak and write effectively;
Perform technical report writing with a high degree of skill and clarity;
Prepare completed staff work for oral and written presentations;
Work in harmony with other members of City staff;
Establish and maintain cooperative relations with co-workers, departmental representatives, and the general public.

and

Experience:

Option I

Two years of full-time experience as Administrative Assistant with the City of Modesto

or

Option II

Two years of full-time municipal government staff work, with direct assignment to the office of a department, division, or agency head, or the office of a city or county administrative officer.

and

Education:

Graduation from an accredited college or university. (A Master's degree in public or business administration is highly desirable and may be substituted for one year's experience.)

# MANAGEMENT ASSISTANT

## DEFINITION

Under direction, to perform a variety of administrative functions; to perform responsible staff work and research in organizational, procedural and governmental activities for the Director of Management Services; to initiate and coordinate grants-in-aid proposals; to monitor pending legislation and provide legislative analysis; and to do related work as required.

## EXAMPLES OF DUTIES

Conducts regular and special studies including the collection of data, analysis and summary of results and interpretation and evaluation of findings; makes written and oral reports; reviews and makes recommendations on the impact of pending state and federal legislation; acts as liaison to league, state or federal staff officials; reviews grants availability, recommends such availability, develops strategies to implement City policies and coordinates City effort at obtaining grants-in-aid; attends various City Council, Commissions and other governmental meetings, as assigned; serves as staff to Council Committees, as assigned; reviews and responds to citizen's requests for services; provides economic and statistical analysis and makes recommendations; reviews administrative practices and makes recommendations for improvements; develops and implements public relations activities; may plan, supervise and evaluate the work of subordinate personnel.

## SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Knowledge of:

Local, state and federal governmental structure and process;
California Legislature and federal congressional procedure;
Principles of organization, administration, and management;
Public finance and budgeting;
Modern office methods and procedures;
Statistical methods and methods of graphic presentation;
Completed staff work in oral and written presentation.

and

Ability to:

Conceptualize, develop alternatives, and recommend action for top management in a public official decision-making structure;
Learn and coordinate the City's grants-in-aid proposals;
Analyze and interpret factual data;
Prepare completed staff work for oral and written presentations;
Speak and write effectively;
Work in harmony with other members of City staff;
Establish and maintain cooperative relations with co-workers, departmental representatives, and the general public.

and

Experience:

One year as Administrative Analyst with the City of Modesto

or

Three years of full-time municipal government staff work, with direct assignment to the office of a department, division, or agency head, or the office of a city or county administrative officer.

and

Education:

Graduation from an accredited college or university. (A Master's degree in public or business administration is highly desirable and may be substituted for one year experience.)

# FIRE BATTALION CHIEF

## DEFINITION

Under direction, to assist in the management of the Fire Department by assignment as Fire Marshal, Operations Commander, Training Officer, or Shift Commander; and to do related work as required.

## DISTINGUISHING CHARACTERISTICS

This is the management-level classification immediately below Fire Chief and above that of Fire Lieutenant. Assignments will vary, depending upon the needs of the department and the abilities, experience and interests of those appointed. Those assigned as Fire Marshal and Operations Commander may receive higher compensation, as recommended by the Fire Chief and approved by the City Manager.

## EXAMPLES OF DUTIES

### Assignment as Fire Marshal:

Supervises and participates in the activities of the Fire Prevention Bureau including the inspection of residential, commercial, industrial, institutional, public assembly, and public lodging facilities to obtain compliance with all applicable federal, state, and principal laws and ordinances; responsible for the development and control of the fire prevention budget; investigates fires to determine causes and damages, keeps records of fire losses, inspections, investigations, fire deaths and injuries; conducts monthly evacuation drills in all schools, hospitals, and convalescent homes; investigates complaints, answers questions, and provides public information regarding hazards and prevention of fires; instructs fire personnel in inspection techniques and code requirements; reviews plans and specifications for all building construction and remodeling except private residential buildings; provides for weed abatement; maintains proper employee morale and discipline within Fire Prevention Bureau.

### Assignment as Operations Commander:

Assists in planning, directing, and reviewing activities of suppression personnel performing safety inspection, prevention, and fire fighting work; responsible for the development and control of the fire suppression budget; assists in administration of departmental activities; assists in selecting and assigning personnel and in maintaining proper employee morale and discipline; answers fire alarms when required or requested; confers with the Fire Chief in determining matters of policy for the operation of the department; directs a program of hydrant maintenance; vehicle maintenance, and stores; coordinates communication facilities; assists in development and maintenance of an adequate system of files, records, and reports; investigates complaints from fire department employees and the public; and performs administrative staff work; assumes command of the Fire Department in the absence of the Fire Chief.

*Assignment as Training Officer:*

*Under direction of Fire Chief, plans and directs a continuous training program for suppression personnel; instructs and drills fire department personnel in fire fighting methods, techniques, and related subjects; coordinates related in-service training with other City departments; prepares reports and maintains records; serves as a Shift Commander when needed and responds to fires and emergencies.*

Assignment as Shift Commander:

Plans, coordinates, and directs on-duty fire suppression companies; responds to all structural first-alarms and all other emergencies, as required; commands all fire and emergency activities until relieved by a superior officer, then continues to provide command assistance as designated by that superior officer; schedules all fire suppression personnel assignments for a shift; maintains proper employee morale and discipline, and compliance with departmental rules and regulations; prepares reports and maintains records; requisitions and distributes materials and supplies; authorizes and completes emergency repairs to fire fighting vehicles and equipment; provides information for the public upon request and investigates complaints.

SPECIAL REQUIREMENTS

License: Possession of a valid California Class 3 driver's license.

Probation: All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the Fire Chief is required for regular status.
Statement of economic interest.

EMPLOYMENT STANDARDS

Knowledge of:
- Modern methods of fire department administration;
- Modern principles and practices of fire prevention and suppression;
- Use and maintenance of fire fighting equipment and apparatus;
- First aid, rescue and resuscitation methods;
- Departmental rules and regulations;
- State and local laws affecting fire prevention;
- City geography, fire hazards, and fire fighting resources such as personnel, equipment, water supply and communications.

and

Ability to:

Assume leadership in planning and directing fire prevention and fire fighting activities;
Select, assign, train, and lead fire fighting personnel;
Plan, lay out and direct the work of fire suppression personnel;
Maintain effective employee discipline and morale;
Use completed staff work to prepare accurate and comprehensive reports;
Keep records and prepare reports;
Make detailed investigations and analyze findings;
Establish and maintain effective working relationships with subordinates, other officials, and the public;
Meet the health and physical standards set by the City

and

Experience:

Five years in a municipal fire department, including at least eighteen months experience as a Fire Lieutenant or higher rank.

and

Education:

Equivalent to completion of an Associate of Arts or Associate of Science Degree.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-553

A RESOLUTION VACATING A 5-FOOT PUBLIC UTILITY EASEMENT AT 2101 MANITOBA COURT IN THE CITY OF MODESTO PURSUANT TO THE CALIFORNIA STREETS AND HIGHWAYS CODE.

WHEREAS, the California Streets and Highways Code authorizes a city council, by resolution, to summarily vacate easements, and

WHEREAS, there is an easement on the real property located at 2101 Manitoba Court, described in Exhibit "A" attached hereto, which is a 5-foot public utility easement, and

WHEREAS, City Council Resolution No. 81-997 imposes a fee of $95.00 for the abandonment of easements, and

WHEREAS, the Council finds and declares that:

1. The vacation is made pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code (Sections 8330 et seq.).

2. The easement has not been used for the purpose for which it was dedicated or acquired for five years immediately preceding the proposed vacation.

3. That from and after the date this resolution is recorded, the easement vacated will no longer constitute a public utility easement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the 5-foot public utility easement located at 2101 Manitoba Court in the City of Modesto which is described in Exhibit "A", which is attached hereto and incorporated by refernce herein, be and it is hereby vacated, such vacation to be effective upon the recording of a certified copy of this resolution in the Stanislaus County Recorder's Office.

BE IT FURTHER RESOLVED that the required abandonment fee is hereby waived.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Alfred Dunn
Engineering Services

Parcel 13455-1

VACATE AND ABANDON THE 10-FOOT PUBLIC UTILITY EASEMENT
IN LOT 12 OF BLOCK 13455

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northeast quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Southeastern corner of Lot 12 in Block 13455 of the HOLLANDIA ESTATES Subdivision, as per map filed May 23, 1978 in Volume 27 of Maps, Page 69, Stanislaus County Records, said point also being on the Western line of 100.00 foot Prescott Road; thence along the Eastern line of said Lot 12 and said Western line of Prescott Road, North 00° 42' 15" West, 125.00 feet, to the Northeastern corner of Lot 12; thence along the Northern line of Lot 12, South 89° 17' 45" West, 10.00 feet, to a point or a line which is parallel and 10.00 feet, measured at right angles, Westerly from said Eastern line of Lot 12; thence along said parallel line, said line being the Western line of the 10-foot public utility easement in Lot 12, South 00° 42' 15" East, 125.00 feet, to a point on the Southern line of Lot 12; thence along said Southern line of Lot 12, North 89° 17' 45" East, 10.00 feet, to the point of beginning.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 83-554

A RESOLUTION DECLARING AN URGENT NECESSITY FOR THE PRESERVATION OF THE PUBLIC HEALTH AND ADJACENT PROPERTIES AND AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER WITHOUT COMPETITIVE BIDDING TO CONCO-WEST, INC. FOR EMERGENCY REPAIRS TO THE CITY OF MODESTO SEWER OUTFALL LINE.

WHEREAS, on Thursday, August 18, 1983, the City of Modesto sewer outfall line which connects the Primary Treatment Plant to the Remote Pond Site started leaking at pipe joints in an area between Hackett Road and Vivian Road causing raw primary effluent sewage to overflow in an adjacent privately owned almond orchard, and

WHEREAS, the raw sewage overflow creates an immediate hazard to the public health and danger to adjacent properties that has to be alleviated, and

WHEREAS, it has been determined that Conco-West, Inc. has employees and equipment available to assist the City of Modesto's Utility Services Department personnel to repair the pipe joints as soon as possible, and

WHEREAS, said repair work has to be performed immediately in order to eliminate the hazard to the public health and to prevent further damage to the adjacent private almond orchard,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the issuance of a purchase order to Conco-West, Inc. for $24,500.00 to cover the cost of work to be performed by Conco-West, Inc. in the repair of the pipe joints of the sewer outfall line.

BE IT FURTHER RESOLVED that this Council finds that the work to be performed by Conco-West, Inc. is of urgent necessity for the preservation of health and property because the leaking pipe joints of the sewer outfall line near Hackett Road and Vivian Road on Thursday, August 18, 1983, causes raw primary effluent to overflow

in an adjacent privately owned almond orchard endangering the public health and adjacent private properties, and the repair of the sewer outfall line cannot wait for competitive bidding.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-555

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO THE ZONING REGULATIONS OF THE MODESTO MUNICIPAL CODE RELATING TO SIGN REGULATIONS.

WHEREAS, on September 6, 1983, the City Council introduced Ordinance No. 2210-C.S. giving approval to a project relating to an ordinance amending Sections 10-2.3502, 10-2.3509 and 10-2.3510 of Chapter 2 of Title X of the Modesto Municipal Code relating to sign regulations, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an ordinance amending Sections 10-2.3502, 10-2.3509 and 10-2.3510 of Chapter 2 of Title X of the Modesto Municipal Code relating to sign regulations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-556

A RESOLUTION ACCEPTING THE BID OF L.M. ROBERTS CONSTRUCTION FOR THE CORPORATION YARD EXPANSION - VEHICLE PARKING, BLOCK 437

WHEREAS, Resolution No. 83-532, adopted by the Council of the City of Modesto on August 16, 1983, approved the plans and specifications for the corporation yard expansion - vehicle parking, Block 437 and authorized the calling for bids; and

WHEREAS, the bids received for the corporation yard expansion - vehicle parking, Block 437 were opened at 11:05 a.m. on August 30, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of L.M. Roberts Construction in the amount of $39,989.15 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of L.M. Roberts Construction in the amount of $39,989.15 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 19 83, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-557

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE CO. FOR RESIDENTIAL ALLEY PAVING PROGRAM - PROJECT NO. 10

WHEREAS, Resolution No.83-533, adopted by the Council of the City of Modesto on August 16, 1983 , approved the plans and specifications for the residential alley paving program - Project No. 10 and authorized the calling for bids; and

WHEREAS, the bids received for the residential alley paving program - Project No. 10 were opened at 11:10 a.m. on August 30, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of The Flintkote Co.,in the amount of $84,788 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Flintkote Co., in the amount of $84,788 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September , 19 83, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-558

A RESOLUTION ACCEPTING THE BID OF CENTRAL READY MIX FOR THE STORM DRAIN EXTENSION ON MANOR OAK DRIVE BETWEEN WALNUT TREE AND LINCOLN OAK

WHEREAS, Resolution No. 83-498 adopted by the Council of the City of Modesto on August 2, 1983 , approved the plans and specifications for the storm drain extension on Manor Oak Drive between Walnut Tree and Lincoln Oak and authorized the calling for bids; and

WHEREAS, the bids received for the storm drain extension on Manor Oak Drive between Walnut Tree and Lincoln Oak were opened at 11:00 a.m. on August 23, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Central Ready Mix in the amount of $39,517.52 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Central Ready Mix in the amount of $39,517.52 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September , 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-559

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** THE USTICK DRAINAGE AREA AND WATERLINE EXTENSION AS COMPLETE

**WHEREAS, a report has been filed by the** *Director of Engineering* **that the construction of** *the Ustick drainage area and waterline extension* **has been completed by** Stanfield and Moody

**in accordance with the contract agreement dated** April 5, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** *the Ustick drainage area and waterline extension* **be accepted from said contractor,** Stanfield and Moody;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $85,903 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** September, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-560

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING THREE MICROCOMPUTERS, AND OPENED IN THE OFFICE OF THE CITY CLERK ON AUGUST 9, 1983, AT 2:00 P.M.

WHEREAS, Resolution No. 83-474 adopted by the Council of the City of Modesto on July 12, 1983, approved the plans and specifications for furnishing three microcomputers, and authorized the call for bids; and

WHEREAS, the bids received for the furnishing of three microcomputers were opened at 2:00 p.m. on August 9, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, all but two or three of the bids submitted were acceptable, and knowing that there are many more microcomputers on the market that were not represented on this bid, it is recommended that an award of bid not be made at this time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the furnishing of three microcomputers and opened in the office of the City Clerk on August 9, 1983, are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-561

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE SERVICE TRUCK AND VAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one service truck and van

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 27, 1983, at 3:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 19 83, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-562

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE SALE OF STRUCTURES AT 1815 "H" STREET (FORMER ACME CLEANERS, LINCOLN SCHOOL SITE) AND 1227-1229 SCENIC DRIVE (FORMER MCHENRY-DRY CREEK FIRE STATION)

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the sale of structures at 1815 "H" Street (former Acme Cleaners, Lincoln School site) and 1227-1229 Scenic Drive (former McHenry-Dry Creek Fire Station) copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 4, 1983, at 3:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-563

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF MARGARET RUSH FROM THE CULTURE COMMISSION, EFFECTIVE SEPTEMBER 1, 1983

WHEREAS, Margaret Rush was appointed a member of the Culture Commission on March 3, 1981; and

WHEREAS, Margaret Rush has tendered her resignation from the Culture Commission effective September 1, 1983; and

WHEREAS, Margaret Rush has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignation of Margaret Rush from the Culture Commission be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of the City, hereby expresses its sincere appreciation to Margaret Rush for her outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-564

A RESOLUTION APPROVING THE FINAL MAP OF THE CONTINENTAL TOWNHOUSES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, GLEN A. KINDLER, is/~~are~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.42 acres, known as the Continental Townhouses Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 17th day of March, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Continental Townhouses Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal

Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-565

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ACQUIRE FROM THEM THE HOUSE AND REAL ESTATE AT 321 NEECE DRIVE NEEDED FOR THE MUNICIPAL 9-HOLE GOLF COURSE PARKING LOT EXPANSION

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Department of Housing and Urban Development to acquire from them the house and real estate at 321 Neece Drive needed for the Municipal 9-Hole Golf Course parking lot expansion

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** September, **19**83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-566

A RESOLUTION AMENDING THE ANNUAL BUDGET OF THE CITY OF MODESTO FOR FY1983-84 TO PROVIDE FINANCING FOR THE PURCHASE OF PROPERTY FROM H. U. D. FOR $67,000 FOR THE EXPANSION OF THE MUNICIPAL GOLF COURSE PARKING LOT.

WHEREAS, the Council of the City of Modesto has agreed to purchase property from H. U. D. for expansion of the Municipal Golf Course and,

WHEREAS, it is necessary to amend the Annual Budget of the City of Modesto for FY1983-84 to provide financing for said property purchase,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following changes be made to the Annual Budget of the City of Modesto for FY1983-84:

1. The amount of $-0- now appropriated in account No. 6495-7130 Muni Golf Parking Lot Expansion, of Fund No. 13, Special Fund For Capital Outlay, be increased by $67,000.

2. The amount of $-0- now estimated as revenue in account No. 941.01, Transfer-in from General Fund, Fund No. 13, Special Fund For Capital Outlay, be increased by $67,000.

3. The amount of $-0- now appropriated in account No. 70.13-8912, Transfer to Special Fund For Capital Outlay, Fund 01, General Fund be increased $67,000.

4. The amount of $2,034,258 now appropriated in account No. 61.02-8911, Reserve For Operating Contingencies, Fund No. 01, General Fund, be decreased $67,000 to $1,967,258.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion

being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-567

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** JERRY BENJAMEN HENSLEY FOR THE LEASE OF ROBERTSON ROAD PARK SITE, A PORTION OF MARK TWAIN PARK SITE AND PORTIONS OF TUOLUMNE RIVER REGIONAL PARK

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Jerry Benjamen Hensley for the lease of Robertson Road Park site, a portion of Mark Twain Park site and portions of Tuolumne River Regional Park

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** September, **19**83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-568

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** JOHN AND PAULA HUMPHREY FOR THE LEASE OF THE FORMER DOIDGE PASTURE WHICH WAS ACQUIRED FOR DRY CREEK PARK

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** John and Paula Humphrey for the lease of the former Doidge pasture which was acquired for Dry Creek Park

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** September, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-569

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** WALSER TRAVEL SERVICE, INC. FOR THE RIGHT TO SELL AIR TRAVEL INSURANCE BY "MAIL-IN" SERVICE AT THE AIRPORT TERMINAL

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Walser Travel Service, Inc. for the right to sell air travel insurance by "mail-in" service at the Airport terminal

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** September**, 19**83**, by Councilmember** Whiteside**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-570

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** CURTIS E. AND ESTELLE E. ROGERS FOR THE ACQUISITION OF A 0.192± ACRE TEMPORARY EASEMENT NEEDED FOR THE PARALLEL OUTFALL LINE PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Curtis E. and Estelle E. Rogers for the acquisition of a 0.192± acre temporary easement needed for the parallel outfall line project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** September, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-571

A RESOLUTION AUTHORIZING RIGHT OF WAY CERTIFICATE FOR PROPOSED OAKDALE/BRIGGSMORE TO FLOYD PROJECT

WHEREAS, the City of Modesto has acquired the required right of way needed for the proposed Oakdale/Briggsmore to Floyd project; and

WHEREAS, it is necessary for the City of Modesto to make a certification to the State of California that the right of way has been acquired for the proposed Oakdale/Briggsmore to Floyd project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager and City Clerk are hereby authorized to sign a Right of Way Certificate setting forth the status of the right of way acquisition for the proposed Oakdale/Briggsmore to Floyd project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-572

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE BID FORM IN THE AMOUNT OF $11,500 FOR THE PURCHASE OF PROPERTY THAT IS WITHIN THE BOUNDARIES OF TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the bid form in the amount of $11,500 for the purchase of property from the Lemmie McKinsey estate that is within the boundaries of Tuolumne River Regional Park be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said bid form in the amount of $11,500 by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-573

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE STANISLAUS COUNTY HOUSING AUTHORITY FOR PROVISION OF COUNSELING SERVICES PURSUANT TO OUR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Stanislaus County Housing Authority for provision of counseling services pursuant to our Community Development Block Grant Program

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** September**, 19** 83**, by Councilmember** Whiteside**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-574
AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE FEDERAL AVIATION ADMINISTRATION WHEREBY FAA HAS AGREED TO INCREASE THE FEDERAL SHARE BY 6%, FOR A CRASH FIRE RESCUE STATION AT THE MODESTO CITY-COUNTY AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the/agreement between the City of Modesto and** the Federal Aviation Administration whereby FAA has agreed to increase the Federal share by 6%, from $392,873 to $416,660, for a crash fire rescue station at the Modesto City-County Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** September, **19**83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-575

**A RESOLUTION APPROVING** AMENDED **/AGREEMENT BETWEEN THE CITY OF MODESTO AND** KENNEDY/JENKS ENGINEERS FOR ADDITIONAL ENGINEERING SERVICES ON THE CITY'S WATER QUALITY CONTROL PLANT EXPANSION PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto** amended **that the/agreement between the City of Modesto and** Kennedy/Jenks Engineers for additional engineering services on the City's Water Quality Control Plant Expansion project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** September**, 19**83**, by Councilmember** Whiteside**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-576

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORIES FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT AND THE EMPIRE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District and a portion of the Empire Fire Protection District in Stanislaus County were annexed to the City of Modesto as McHenry-Dry Creek Municipal Reorganization by Resolution No. 83-496 adopted on August 2, 1983, and said territories officially became a part of the City of Modesto on September 1, 1983, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the areas of said Fire Protection Districts which have been annexed to the City that the areas be withdrawn from said Fire Protection Districts and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the territories, the descriptions of which are attached hereto as Exhibits A through G and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District, and the territory, the description of which is attached hereto as Exhibit H and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Empire Fire Protection District in

Stanislaus County. Said withdrawals to be effective at 12:00 midnight on December 31, 1983.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing bodies of the Districts and the Stanislaus County Board of Supervisors, the tax levying authority of the Districts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R. Reed Schmidt
Engineering Services Department

June 23, 1983

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Scenic - Sonoma Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 23 and the North one-half of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977, as Instrument 15057, Stanislaus County Records, said point being on the center line of Dry Creek, said point also being the Southwestern corner of the property conveyed to Jack E. Goodwin, et ux, by deed recorded January 6, 1977, as Instrument 35756, Stanislaus County Records;

1. thence along the existing City Limits on a Western line of said ADDITION (359), and the Western line of said Goodwin property, North 00°52'36" West, 435.73 feet, to a point on the former 40.00 foot wide Scenic Drive and a Southern line of the SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Southern line of ADDITION (285), North 89°00'21" West, 1203.36 feet, to a Southwestern corner of ADDITION (285);

3. thence continuing along the existing City Limits on a Western line of ADDITION (285), said line being the center line of Sonoma Avenue and the North-South quarter section line of said Sections 23 and 28, North 00°51'41" West, 861.11 feet, to the Southeastern corner of the SONOMA NO. 1 ADDITION (277), as per description filed October 20, 1971, as Instrument 40190, Stanislaus County Record;

4. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (277), the following bearings and distances, South 69°36'19" West, 187.27 feet;

5. thence North 84°54'41" West, 583.94 feet;

6. thence South 83°11'19" West, 428.36 feet, to the Southeastern corner of the SCENIC VILLAGE ADDITION (187), as per description filed March 24, 1966, as Instrument 10379, Stanislaus County Records;

7. thence continuing along the existing City Limits on a Southern line of said ADDITION (187), South 83°11'19" West, 220.49 feet;

8. thence continuing along the existing City Limits on a Southern line of ADDITION (187), North 74°53'41" West, 397.37 feet, to tne Northeastern corner of tne SCENIC-OAKDALE ADDITION (371), as per description filed April 5, 1978, as Instrument 63080, Stanislaus County Records;

9. thence continuing along tne existing City Limits on tne Eastern line of said ADDITION (371), Soutn 00°56'11" West, 763.66 feet, to tne Southeast corner of ADDITION (371), and a point on the center line of 50.00 foot Scenic Drive and a point on a Northern line of tne SCENIC-OAKDALE NO. 3 ANNEXATION (452), as per description filed December 30, 1982, as Instrument 34239, Stanislaus County Records;

10. thence continuing along the existing City Limits on tne Nortnern and Eastern boundaries of said ANNEXATION (452), the following bearings and distances, Soutn 67°01'41" East, 96.82 feet;

11. thence Easterly along a tangent curve concave to tne North, naving a Radius of 572.96 feet, a Central Angle of 21°47'48" and an Arc Length of 217.97 feet;

12. thence along a tangent line, Soutn 88°49'29" East, 355.37 feet;

13. thence leaving tne center line of Scenic Drive, South 00°13'29" East, 408.93 feet, to a point on a Northern line of tne DRY CREEK PARK NO. 3 ADDITION (313), as per description filed January 21, 1974, as Instrument 27802, Stanislaus County Records;

14. thence continuing along the existing City Limits on tne Nortneastern boundary of said ADDITION (313), tne following bearings and distances, North 85°57'31" East, 149.40 feet;

15. thence Soutn 00°13'29" East, 130.00 feet;

16. thence South 51°11' East, 340.00 feet;

17. thence Soutn 41°32'47" East, 198.31 feet;

18. thence Soutn 33°07'30" East, 99.20 feet;

19. thence South 20°05'54" East, 139.11 feet;

20. thence South 00°13'31" East, 200.00 feet, to a point on a Northern line of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

21. thence continuing along the existing City Limits on the Northern boundary of said ADDITION (228), the following bearings and distances, South 89°57'25" East, 280.38 feet;

8. thence continuing along the existing City Limits on a Soutnern line of ADDITION (187), North 74°53'41" West, 397.37 feet, to tne Northeastern corner of the SCENIC-OAKDALE ADDITION (371), as per description filed April 5, 1978, as Instrument 63080, Stanislaus County Records;

9. tnence continuing along the existing City Limits on the Eastern line of said ADDITION (371), Soutn 00°56'11" West, 763.66 feet, to tne Southeast corner of ADDITION (371), and a point on the center line of 50.00 foot Scenic Drive and a point on a Northern line of tne SCENIC-OAKDALE NO. 3 ANNEXATION (452), as per description filed December 30, 1982, as Instrument 34239, Stanislaus County Records;

10. thence continuing along the existing City Limits on tne Nortnern and Eastern boundaries of said ANNEXATION (452), tne following bearings and distances, Soutn 67°01'41" East, 96.82 feet;

11. thence Easterly along a tangent curve concave to tne North, naving a Radius of 572.96 feet, a Central Angle of 21°47'48" and an Arc Lengtn of 217.97 feet;

12. thence along a tangent line, South 88°49'29" East, 355.37 feet;

13. thence leaving tne center line of Scenic Drive, South 00°13'29" East, 408.93 feet, to a point on a Northern line of tne DRY CREEK PARK NO. 3 ADDITION (313), as per description filed January 21, 1974, as Instrument 27802, Stanislaus County Records;

14. thence continuing along the existing City Limits on tne Nortneastern boundary of said ADDITION (313), tne following bearings and distances, North 85°57'31" East, 149.40 feet;

15. thence Soutn 00°13'29" East, 130.00 feet;

16. thence South 51°11' East, 340.00 feet;

17. thence Soutn 41°32'47" East, 198.31 feet;

18. thence South 33°07'30" East, 99.20 feet;

19. thence South 20°05'54" East, 139.11 feet;

20. thence South 00°13'31" East, 200.00 feet, to a point on a Northern line of the RIVERSIDE ADDITION (228), as per description filed Marcn 24, 1969, as Instrument 9772, Stanislaus County Records;

21. tnence continuing along the existing City Limits on tne Northern boundary of said ADDITION (228), the following bearings and distances, South 89°57'25" East, 280.38 feet;

22. thence South 56°49'35" East, 299.55 feet, to the Northwestern corner of the DRY CREEK PARK NO. 4 GOVERNMENTAL REORGANIZATION (428), as per description filed September 24, 1980, as Instrument 18720, Stanislaus County Records;

23. thence continuing along the existing City Limits on the Northern boundary of said GOVERNMENTAL REORGANIZATION (428), the following bearings and distances, South 75°30'00" East, 344.32 feet;

24. thence North 72°30'00" East, 297.00 feet;

25. thence North 47°30'00" East, 231.00 feet;

26. thence North 21°45'00" East, 660.00 feet;

27. thence North 31°30'00" East, 231.00 feet;

28. thence North 54°45'00" East, 37.20 feet, to the point of beginning, containing 92.587 Acres, more or less.

EXCEPTING THEREFROM the following described property:

Beginning at the most Southeasterly extremity of the above Course Nineteen (19);

1. thence along the Northeastern boundary of said ADDITION (313) and leaving the center line of Dry Creek, South 00° 13' 31" East, 200.00 feet, to a point on a Northern line of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

2. thence along the Northern boundary of said ADDITION (228), South 89° 57' 25" East, 280.38 feet, to the center line of Dry Creek;

3. thence along said center line of Dry Creek, North 54° 32' 48" West, 345.16 feet, to the point of beginning, containing 0.644 Acres, more or less.

58. thence North 80°09'47" East, 212.25 feet;

59. thence North 66°17'08" East, 152.36 feet, to a Northwestern corner of LINCOLN NO. 2 ADDITION (324), as per description filed November 19, 1974, as Instrument 19676, Stanislaus County Records;

60. thence continuing along the existing City Limits on a Northwestern line of said ADDITION (324), North 54°00'52" East, 244.37 feet, to a Northwestern corner of ADDITION (324) and a point on the Northern line of said Section 25;

61. thence leaving the existing City Limits and along the center line of Dry Creek, the following bearings and distances; North 64°55' East, 180.00 feet;

62. thence North 32°29'30" East, 308.77 feet;

63. thence North 12°50'50" West, 58.46 feet;

64. thence West, 32.00 feet;

65. thence North 18°30" West, 141.83 feet;

66. thence North 40°18'20" West, 109.70 feet;

67. thence North 29°52' West, 532.18 feet;

68. thence North 21°52'30" West, 144.93 feet;

69. thence North 45°00' East, 76.37 feet;

70. thence North 09°56' East, 67.00 feet;

71. thence Easterly along the center line of Dry Creek to the point of beginning, containing 165.5 Acres, more or less.

EXCEPTING THEREFROM the following described property:

Beginning at the most Northeasterly extremity of the above Course Fifty-two (52), said point being the Northwestern corner of Lot A in KINGSBURY PARK ESTATES UNIT NO. 2 Subdivision, as per map filed November 27, 1968 in Volume 22 of Maps, Page 12, Stanislaus County Records;

1. thence leaving the center line of Dry Creek and along the boundary of said ADDITION (293) and the Western line of said Lot A, South 0° 58' 28" East, 361.46 feet;

2. thence along a Northern line of ADDITION (293), the South line of said Section 24 and the Southern line of Lot A, North 89° 19' 27" East, 710.06 feet, to the center line of Dry Creek;

3. thence along the Northeastern boundary of Lot A and the center line of Dry Creek, the following bearings and distances, North 58° 38' 55" West, 50.92 feet;

4. thence North 44° 58' 46" West, 119.71 feet;

5. thence North 57° 58' 18" West, 172.40 feet;

6. thence North 78° 21' 27" West, 103.65 feet;

7. thence North 69° 10' 05" West, 364.19 feet, to the point of beginning, containing 3.605 Acres, more or less.

June 23, 1983

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Sherwood Forest Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the HARTE TRACT ADDITION (223), as per description filed October 18, 1968, as Instrument 33012, Stanislaus County Records, said point being on the most Eastern boundary of the CROCCO ADDITION (171), as per description filed March 17, 1965, as Instrument 10620, Stanislaus County Records;

1. thence along the existing City Limits on said Eastern boundary of ADDITION (171), North 00°47'00" West, 895.13 feet, to the Northeastern corner of ADDITION (171);

2. thence continuing along the existing City Limits on the Northern boundary of ADDITION (171), North 89°23'20" West, 1129.00 feet, to a Soutneastern corner of the McHENRY ADDITION (241), as per description filed October 9, 1969, as Instrument 33951, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Eastern line of ADDITION (241), North 00°47'30" West, 395.50 feet, to the Northeastern corner of ADDITION (241), said point also being the Southwestern corner of the NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), as per description filed April 15, 1981, as Instrument 61596, Stanislaus County Records, said point being also the center line of 60.00 foot Robin Hood Drive;

4. thence continuing along the existing City Limits on a Southern line of GOVERNMENT REORGANIZATION (435), said line being a non-tangent curve concave to the Southwest, having a Radius of 670.00 feet, a Central Angle of 17°15'15" and an Arc Length of 201.77 feet, to a point of reverse curvature from which point a radial line bears North 28°57'30" East;

5. thence continuing along the existing City Limits along said Southerly boundary of GOVERNMENTAL REORGANIZATION (435), on said reverse curve concave to the Northeast, having a Radius of 530.00 feet, a Central Angle of 10°59'12" and an Arc Length of 101.63 feet, to the most Southerly corner of GOVERNMENTAL REORGANIZATION (435), from which point a radial line bears North 17°58'18" East;

6. thence continuing along the existing City Limits on an Eastern line of GOVERNMENTAL REORGANIZATION (435), and the center line of a 20.00 foot alley, North 00°47'30" West, 129.80 feet;

Exhibit "B"

7. thence continuing along the existing City Limits on a Soutnern line of GOVERNMENTAL REORGANIZATION (435), and the center line of a 20.00 alley, South 89°23'20" East, 190.32 feet, to tne Southeastern corner of GOVERNMENTAL REORGANIZATION (435);

8. thence leaving the existing City Limits and continuing along tne center line of tne East-West alley in Block 12321 of tne SHERWOOD FOREST Suodivision, as per map filed August 13, 1956 in Volume 18 of Maps, Page 56, Stanislaus County Records, South 89°23'20" East, 658.94 feet, to a point on the center line of 60.00 foot Doncaster Lane and a point on the Western line of the SHERWOOD FOREST NO. 2 ADDITION (451), as per description filed June 21, 1982, as Instrument 28536, Stanislaus County Records;

9. thence along the existing City Limits on said Western line of ADDITION (451), South 00°47'00" East, 10.01 feet, to the Soutnwestern corner of ADDITION (451);

10. thence continuing along the existing City Limits on tne Soutnern line of ADDITION (451), and the Nortnern line of said Snerwood Forest Suodivision, South 89°23'20" East, 1318.76 feet, to a point on tne Western line of tne CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records;

11. thence continuing along tne existing City Limits on said Western line of ADDITION (275), South 00°46'00" East, 159.54 feet, to tne Northwestern corner of the CRESTWOOD TERRACE NO. 2 ADDITION (162), as per description filed March 24, 1964, as Instrument 11958, Stanislaus County Records;

12. thence continuing along the existing City Limits on tne Western line of ADDITION (162), South 00°46'00" East, 1161.05 feet, to tne Southwestern corner of ADDITION (162), and a point on the Nortnern line of the SHERWOOD MANOR ADDITION (94), as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records;

13. thence continuing along tne existing City Limits on said Nortnern line of ADDITION (94), North 89°30'00" West, 464.42 feet, to the Northwestern corner of ADDITION (94), and a point on the Eastern line of said HARTE TRACT ADDITION (223);

14. thence continuing along tne existing City Limits on said Eastern line of ADDITION (223), North 00°39'30" West, 20.00 feet, to the Northeastern corner of ADDITION (223);

15. tnence continuing along the existing City Limits on tne Northern line of ADDITION (223), said line being the Northern line of East Rumble Road, North 89°30'00" West, 854.23 feet, to the point of beginning, containing 49.993 Acres, more or less.

June 23, 1983

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Oakdale - Floyd Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 15, Townsnip 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the CELESTE NO. 3 ADDITION (268), as per description filed February 12, 1971, as Instrument 5278, Stanislaus County Records, said point also being on the Western line of the ORCHARD NEIGHBORHOOD ADDITION (398), as per description filed March 23, 1979, as Instrument 59989, Stanislaus County Records, said point also being the East quarter section corner of said Section 15;

1. thence along the existing City Limits on the Northern line of said ADDITION (268), North 89°22'05" West, 778.25 feet, to the Northeastern corner of the CELESTE NO. 2 ADDITION (246), as per description filed December 29, 1969, as Instrument 42493, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Northern line of said ADDITION (246), North 89°22'05" West, 534.09 feet, to the Northeastern corner of the ROSE ACRES NO. 2 ADDITION (222), as per description filed September 19, 1968, as Instrument 29381, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Northern line of said ADDITION (222), North 89°22'05" West, 1292.14 feet, to a Southeastern corner of the FLOYD ADDITION (259), as per description filed August 17, 1970, as Instrument 26194, Stanislaus County Records;

4. thence continuing along the existing City Limits on an Eastern line of said ADDITION (259), said line also being the Eastern line of 40.00 foot Rose Avenue, North, 660.00 feet;

5. thence continuing along the existing City Limits on a Southern line of said ADDITION (259), South 89°23'21" East, 964.49 feet, to the Southwestern corner of the OAKDALE-FLOYD NO. 2 ADDITION (379), as per description filed August 3, 1978, as Instrument 7281, Stanislaus County Records;

6. thence continuing along the existing City Limits on the Southern line of said ADDITION (379), South 89°23'21" East, 1640.53 feet, to the Southeastern corner of ADDITION (379) and a point on said Western line of said ADDITION (398);

Exhibit "C"

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7. thence continuing along tne existing City Limits on said Western line of ADDITION (398), said line being the center line of Oakdale Road and the section line common to Sections 14 and 15, above Township and Range, Soutn 0°01'26" West, 660.96 feet, to the point of beginning, containing 39.495 Acres, more or less.

June 23, 1983

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Coffee - Rumble Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern corner of the COFFEE-RUMBLE ANNEXATION (403), as per description filed June 19, 1979, as Instrument 82967, Stanislaus County Records, said point being on a Western line of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point also being on the East line of said Section 9;

1. thence along the existing City Limits along the Northern line of said ANNEXATION (403), North 89°37' West, 298.00 feet, to the Northwestern corner of ANNEXATION (403), and a point on the Eastern line of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Eastern line of ADDITION (157), North 00°50'30" West, 711.00 feet, to the Southwestern corner of the COFFEE NO. 3 ANNEXATION (383), as per description filed October 2, 1978, as Instrument 21312, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Southern line of said ANNEXATION (383), South 89°37' East, 298.00 feet, to the Southeastern corner of ANNEXATION (383), and a point on the Western line of the SYLVAN SCHOOL NO. 2 ADDITION (300), as per description filed January 19, 1973, as Instrument 29981, Stanislaus County Records;

4. thence continuing along the existing City Limits on said Western line of ADDITION (300), and said East line of Section 9, South 00°50'30" East, 403.96 feet, to the Southwestern corner of ADDITION (300), and the Northwestern corner of said ADDITION (252);

5. thence continuing along the existing City Limits on a Western line of ADDITION (252), and the East line of Section 9, South 00°50'30" East, 307.04 feet, to the point of beginning, containing 4.863 Acres, more or less.

Exhibit "D"

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Lucern - Coffee Area)

All that real property in tne State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the MORRIS ADDITION (224), as per description filed October 31, 1968, as Instrument 34429, Stanislaus County Records, said point being on a Western line of the SUNNYSIDE ANNEXATION (410), as per description filed July 26, 1979, as Instrument 6061, Stanislaus County Records;

1. thence along the existing City Limits on tne Nortnern line of said ADDITION (224), and the center line of 60.00 foot East Morris Avenue, South 89°57' West, 308.00 feet, to the Northwestern corner of ADDITION (224), and a point on the Eastern line of tne TSCHANTZ-VAN HORN ADDITION (48), as per description filed June 12, 1953, as Instrument 14774, Stanislaus County Records;

2. tnence continuing along the existing City Limits on said Eastern line of ADDITION (48), North 00°54' West, 161.20 feet, to the Northeastern corner of ADDITION (48);

3. thence continuing along the existing City Limits on tne Nortnern line of ADDITION (48), North 89°59'15" West, 174.86 feet, to the Nortnwestern corner of ADDITION (48), and a point on an Eastern line of the ESGAR TRACT ADDITION (8), as per description filed December 6, 1939, as Instrument 15815, Stanislaus County Recorus;

4. thence continuing along tne existing City Limits on said Eastern line of ADDITION (8), North 00°54' west, 133.67 feet, to tne Soutnwestern corner of tne MILO ADDITION (211), as per description filed February 28, 1968, as Instrument 6307, Stanislaus County Records;

5. tnence continuing along tne existing City Limits on tne Southern line of said ADDITION (211), South 89°57' East, 142.97 feet, to the Southeastern corner of ADDITION (211);

6. tnence continuing along tne existing City Limits on tne Eastern line of ADDITION (211), Nortn 00°54' West, 362.48 feet, to tne Northeastern corner of ADDITION (211), and a point on a Southern line of tne DOWNEY HIGH SCHOOL AND JOHN MUIR SCHOOL ADDITION (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records;

Exhibit "E"

7. thence continuing along the existing City Limits on said Soutnern line of ADDITION (33), said line oeing the North line of said Section 28 and the center line of 60.00 foot Lucern Avenue, South 89°57' East, 339.90 feet, to a Southeastern corner of ADDITION (33), the Northeast corner of Section 28, and a point on tne Western line of the COFFEE-LUCERN NO. 1 ADDITION (343), as per description filed March 26, 1976, as Instrument 44153, Stanislaus County Records;

8. thence continuing along tne existing City Limits on said Western line of ADDITION (343), said line oeing the East section line of Section 28 and the center line of 90.00 foot Coffee Road, Soutn 00°54' East, 495.00 feet, to tne Soutnwestern corner of ADDITION (343), and the Northwestern corner of said ANNEXATION (410);

9. tnence continuing along the existing City Limits on said Western line of ANNEXATION (410), and said East line of Section 28 and said center line of Coffee Road, South 00°54' East, 161.70 feet, to the point of beginning, containing 5.446 Acres, more or less.

MCHENRY-DRY CREEK MUNICIPAL REORGANIZATION
(Scenic-Coffee Area)

All that real property in the State of California, County of Stanislaus, being a portion of the North one-half of Section 27 and the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the SCENIC-ROSE NO. 1 ADDITION (311), as per description filed October 29, 1973, as Instrument 16851, Stanislaus County Records, said point being on the center line of former 50.00 foot Scenic Drive;

1. thence along the existing City Limits on the Western line of said ADDITION (311), said line being parallel with and 29.04 feet Easterly from the North-South quarter section line of said Section 27, South 00°19'25" East, 619.63 feet, to the Southwestern corner of ADDITION (311), and a Northwestern corner of the SCENIC-ENCINA ADDITION (315), as per description filed February 27, 1974, as Instrument 33322, Stanislaus County Records;

2. thence leaving the existing City Limits and along the center line of Dry Creek, the following bearings and distances, South 76°23'12" West, 169.00 feet;

3. thence South 80°03'22" West, 123.00 feet;

4. thence South 57°08'32" West, 297.00 feet;

5. thence South 60°36'42" West, 176.57 feet, to the Northeastern corner of the EDGEBROOK NO. 1 ADDITION (297), as per description filed October 17, 1972, as Instrument 16035, Stanislaus County Records;

6. thence continuing along the existing City Limits on the Northern boundary of ADDITION (297), and the center line of Dry Creek, the following bearings and distances, South 69°24'23" West, 86.06 feet;

7. thence South 86°09'23" West, 73.59 feet;

8. thence South 88°22'23" West, 66.07 feet;

9. thence South 81°39'23" West, 66.66 feet;

10. thence Soutn 89°44'23" West, 85.15 feet;

11. thence Soutn 73°51'23" West, 75.00 feet;

12. thence Soutn 00°15'37" East, 10.50 feet;

13. thence South 80°52'23" West, 94.16 feet;

14. thence Nortn 81°35'55" West, 101.39 feet, to tne Soutneastern corner of the SCENIC ADDITION (186), as per description filed February 3, 1966, as Instrument 4293, Stanislaus County Records;

15. thence continuing along tne existing City Limits on tne Eastern line of said ADDITION (186), said line being tne Eastern line of the Southwest quarter of tne Northwest quarter of Section 27, North 00°25'53" East, 111.01 feet, to the Nortneastern corner of ADDITION (186);

16. thence continuing along tne existing City Limits on tne Northern line of ADDITION (186), said line being tne Nortnern line of tne Southwest quarter of the Northwest quarter of Section 27, Nortn 89°02'37" West, 1020.00 feet, to tne Northwestern corner of ADDITION (186);

17. thence continuing along tne existing City Limits on the Western line of ADDITION (186), Soutn 00°21'23" West, 268.17 feet, to the center line of Dry Creek and a point on a Northern line of the LA LOMA-YOSEMITE ADDITION (55), as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records;

18. tnence continuing along tne existing City Limits on tne Nortnern line of said ADDITION (55), and tne center line of Dry Creek, Westerly, to a point on an Eastern line of tne ORIGINAL CITY, as incorporated August 6, 1884;

19. thence continuing along the existing City Limits on said Eastern line of tne ORIGINAL CITY, Northerly, to the Southeastern corner of the CAPITAL HEIGHTS ADDITION (1), said point being the Southeast corner of the Northwest quarter of tne Northeast quarter of said Section 28;

20. thence continuing along tne existing City Limits on the Eastern line of said ADDITION (1), said line being the East line of said Northwest quarter of tne Northeast quarter of Section 28, Northerly, to the Soutnwestern corner of tne PORTION OF LOT 44 OF THE BROUGHTON COLONY ADDITION (32), as per description filed May 18, 1950, as Instrument 11062, Stanislaus County Records;

21. thence continuing along the existing City Limits on a Soutnern line of said ADDITION (32), South 89°21'East, 943.80 feet;

22. thence continuing along the existing City Limits on a Soutnern line of said ADDITION (32), North 73°45' East, 34.32 feet, to a Northwestern corner of the SCENIC NO. 2 ADDITION (229), as per description filed May 2, 1969, as Instrument 15075, Stanislaus County Records;

23. thence continuing along tne existing City Limits on the Western and Southern boundaries of said ADDITION (229), tne following bearings and distances, Soutn 00°54' East, 373.05 feet;

24. thence North 68°12'30" East, 362.25 feet, to tne Soutneastern corner of ADDITION (229), and the Soutnwestern corner of tne SCENIC-COFFEE ANNEXATION (429), as per description filed November 4, 1980, as Instrument 32241, Stanislaus County Records;

25. tnence continuing along tne existing City Limits on a Soutnern line of said ANNEXATION (429), and the center line of 90.00 foot Scenic Drive, North 69°14'00" East, 442.46 feet, to the Soutneastern corner of ANNEXATION (429), and tne Southwestern corner of tne SUNNYSIDE ANNEXATION (410), as per description filed July 26, 1979, as Instrument 6061, Stanislaus County Records;

26. thence continuing along the existing City Limits on a Soutnern line of said ANNEXATION (410), and said center line of Scenic Drive, North 69°14' East, 140.76 feet, to the Soutneastern corner of ANNEXATION (410), and tne Southwestern corner of tne SUNNYSIDE NO. 2 ANNEXATION (442), as per description filed September 30, 1981, as Instrument 17819, Stanislaus County Records;

27. thence continuing along tne existing City Limits on a Southern line of said ANNEXATION (442), tne following bearings and distances, North 69°14' East, 770.31 feet;

28. thence Nortn 76°14' East, 74.96 feet, to tne Soutneastern corner of ANNEXATION (442), and the Soutnwestern corner of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

29. thence continuing along tne existing City Limits on the Soutnern line of said ADDITION (226), and the center line of Scenic Drive, Nortn 74°00'23" East, 1400.34 feet, to the point of beginning, containing 55.4 Acres, more or less.

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION
(Lincoln Estates-Wycliffe Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 23, the South one-half of Section 24 and the North one-half of Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the CLAUS-DRY CREEK GOVERNMENTAL REORGANIZATION (415), as per description filed April 4, 1980, as Instrument 62872, Stanislaus County Records, said point being on the East line of said Section 24 and the center line of Claus Road;

1. thence along the existing City Limits on the Western line of said GOVERNMENTAL REORGANIZATION (415), North 00°47'00" West, 231.32 feet, to the Southeastern corner of the SCENIC-CLAUS ADDITION (399), as per description filed May 7, 1979, as Instrument 70628, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (399) and the center line of Scenic Drive, the following bearings and distances, South 89°13'00" West, 20.00 feet;

3. thence Westerly along a tangent curve concave to the South, having a Radius of 145.10 feet, a Central Angle of 18°23'00" and an Arc Length of 46.56 feet;

4. thence South 70°50'00" West, 245.91 feet;

5. thence Westerly along a tangent curve concave to the Northwest, having a Radius of 350.00 feet, a Central Angle of 17°57'30" and an Arc Length of 109.70 feet;

6. thence North 01°12'30" West, 5.00 feet;

7. thence South 88°48'00" West, 769.86 feet, to a Southeastern corner of the SPRING CREEK ADDITION (325), as per description filed January 15, 1975, as Instrument 26879, Stanislaus County Records;

8. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (325) and the center line of Scenic Drive, the following bearings and distances, South 88°48'00" West, 114.87 feet;

9. thence North 85°05'00" West, 493.32 feet;

10. thence South 86°14'30" West, 330.69 feet;

Exhibit "G"

11. thence South 64°48'00" West, 272.20 feet;

12. thence Soutn 56°10'30" West, 304.60 feet;

13. thence South 45°30'00" West, 129.51 feet;

14. thence South 74°13'20" West, 161.82 feet;

15. thence Soutn 87°55'00" West, 87.63 feet, to a Soutneastern corner of the ORANGEBURG-LILLIAN ADDITION (302), as per description filed March 22, 1973, as Instrument 40448, Stanislaus County Records;

16. tnence continuing along tne existing City Limits on a Soutnern line of said ADDITION (302) and the center line of Scenic Drive, South 87°55'00" West, 327.34 feet, to a Southwestern corner of ADDITION (302);

17. thence continuing along tne existing City Limits on a Western line of said ADDITION (302), Northn 00°52'10" West, 1337.33 feet, to tne Northeastern corner of LINCOLN ESTATES NO. 4 SUBDIVISION, as per map filed July 28, 1965, in Volume 21 of Maps, Page 14, Stanislaus County Recoras, and a point on a Southern line of ADDITION (302);

18. thence continuing along tne existing City Limits on said Southern line of ADDITION (302), Soutn 89°20'20" West, 645.26 feet, to a Soutnwestern corner of ADDITION (302) and the Southeastern corner of the ORANGEBURG-LAKEWOOD ADDITION (328), as per description filed February 24, 1975, as Instrument 32476, Stanislaus County Records;

19. tnence continuing along tne existing City Limits on the Southern line of said ADDITION (328), South 89°20'20" West, 1309.25 feet, to the Southwestern corner of ADDITION (328) and the Southeastern corner of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972, as Instrument 23377, Stanislaus County Records;

20. thence continuing along tne existing City Limits on a Southern line of said ADDITION (292), Soutn 89°47' West, 656.99 feet, to a Southwestern corner of ADDITION (292), and a Soutneastern corner of tne ORANGEBURG-SONOMA ADDITION (299), as per description filed October 27, 1972, as Instrument 17572, Stanislaus County Records;

21. thence continuing along tne existing City Limits on a Southern line of said ADDITION (292), Soutn 89°47' West, 123.86 feet, to a Northeastern corner of the SCENIC-LAKEWOOD ADDITION (332), as per description filed May 30, 1975, as Instrument 46313, Stanislaus County Records;

22. thence continuing along the existing City Limits on the boundary of said ADDITION (332), the following bearings and distances, South 00°59' East, 446.29 feet;

23. thence North 89°47' East, 780.85 feet, to the center line of Lakewood Avenue;

24. thence along said center line of Lakewood Avenue, South 00°59' East, 166.02 feet;

25. thence South 89°48'20" West, 190.00 feet;

26. thence South 00°59' East, 415.74 feet;

27. thence South 68°27'21" West, 144.52 feet, to a Northeastern corner of the SCENIC-LAKEWOOD NO. 2 ADDITION (374), as per description filed June 23, 1978, as Instrument 81725, Stanislaus County Records;

28. thence continuing along the existing City Limits on the boundary of said ADDITION (374), the following bearings and distances, South 00°59' East, 385.57 feet;

29. thence North 88°18' East, 325.32 feet, to said center line of Lakewood Avenue;

30. thence South 00°59' East, 324.25 feet;

31. thence South 77°47'15" West, 601.90 feet;

32. thence South 50°22'28" West, 250.68 feet, to a Northeastern corner of the SCENIC BEND NO. 2 GOVERNMENTAL REORGANIZATION (425), as per description filed July 3, 1980, as Instrument 721, Stanislaus County Records;

33. thence continuing along the existing City Limits on a Southeastern line of said GOVERNMENTAL REORGANIZATION (425), South 29°39'49" West, 583.62 feet, to an Eastern corner of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977 as Instrument 15057, Stanislaus County Records;

34. thence continuing along the existing City Limits on a Southeastern line of said ADDITION (359), South 29°39'49" West, 81.92 feet, to a Northwestern corner of the LINCOLN NO. 3 ADDITION (340), as per description filed February 4, 1976, as Instrument 35053, Stanislaus County Records;

35. thence continuing along the existing City Limits on the boundary of said ADDITION (340), the following bearings and distances, North 89°46'30" East, 174.07 feet, to the center line of Dry Creek;

36. thence along the center line of Dry Creek, North 26°03'20" East, 151.95 feet;

37. thence continuing along the center line of Dry Creek, North 34°09'26" East, 77.77 feet, to a Northwestern corner of the DRY CREEK PARK NO. 2 ADDITION (293), as per description filed June 30, 1972, as Instrument 26860, Stanislaus County Records;

38. thence continuing along the existing City Limits on the boundary of said ADDITION (293) and the center line of Dry Creek, the following bearings and distances, North 29°39'15" East, 30.01 feet;

39. thence North 34°20'00" East, 125.00 feet;

40. thence North 57°30'00" East, 155.00 feet;

41. thence North 65°10'00" East, 262.00 feet;

42. thence North 69°47'39" East, 188.72 feet;

43. thence South 87°32'00" East, 167.24 feet;

44. thence South 87°09'30" East, 216.88 feet;

45. thence South 67°34'30" East, 154.51 feet;

46. thence North 86°54'00" East, 73.13 feet;

47. thence South 77°38'00" East, 206.05 feet;

48. thence North 87°47'30" East, 49.70 feet;

49. thence South 67°03'00" East, 111.21 feet;

50. thence South 73°48'00" East, 83.48 feet;

51. thence South 82°22'00" East, 226.12 feet;

52. thence North 86°28'00" East, 101.84 feet;

53. thence leaving the center line of Dry Creek and along the boundary of ADDITION (293), South 00°58'28" East, 361.46 feet;

54. thence along a Northern line of ADDITION (293) and the South line of said Section 24, North 89°19'27" East, 710.06 feet, to the center line of Dry Creek;

55. thence continuing along the boundary of ADDITION (293) and the center line of Dry Creek, the following bearings and distances, South 58°38'55" East, 291.72 feet;

56. thence South 67°28'49" East, 73.30 feet;

57. thence South 59°43'19" East, 101.10 feet;

MUNICIPAL REORGANIZATION FROM THE EMPIRE FIRE DISTRICT

PARCEL NO. 1

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lot A of Block 2805 of the KINGSBURY PARK ESTATES UNIT NO. 2 Subdivision, as per map filed November 27, 1968 in Volume 22 of Maps, Page 12, Stanislaus County Records, described as follows:

Beginning at the Northwestern corner of said Lot A, said point being on the centerline of Dry Creek; thence along a Northeastern line of Lot A and said centerline of Dry Creek, South 69° 10' 15" East 364.19 feet; thence continuing along the centerline of Dry Creek and a Northeastern line of Lot A, South 78° 21' 27" East, 103.65 feet; thence continuing along the centerline of Dry Creek and a Northeastern line of Lot A, South 57° 58' 18" East, 172.40 feet; thence continuing along the centerline of Dry Creek and a Northeastern line of Lot A, South 44° 58' 46" East, 119.71 feet; thence continuing along the centerline of Dry Creek and a Northeastern line of Lot A, South 58° 38' 55" East, 50.92 feet, to the Southeastern corner of Lot A; thence along the Southern line of Lot A, said line being the section line common to Sections 24 and 25, above Township and Range, South 89° 19' 27" West, 710.06 feet, to the Southwestern corner of Lot A; thence along the Western line of Lot A, North 00° 58' 28" West, 361.46 feet, to the point of beginning.

PARCEL NO. 2

All that real property in the City of Modesto, County of Stanislaus, being a portion of the Northwest quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the DRY CREEK PARK NO. 3 ADDITION (313), as per description filed January 21, 1974, as Instrument 27802, Stanislaus County Records, said point being on a Northern line of the RIVERSIDE ADDITION (292), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

1. thence along the existing City Limits on an Eastern line of said ADDITION (313), North 00° 13' 31" West, 200.00 feet, to the centerline of Dry Creek;

2. thence along said centerline of Dry Creek, South 54° 32' 48" East, 345.16 feet, to said Northern line of ADDITION (292);

3. thence along the Northern line of said ADDITION (292), North 89° 57' 25" West, 280.38 feet, to the point of beginning, containing 0.644 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-577

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (McHENRY-DRY CREEK MUNICIPAL REORGANIZATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 83-496 on August 2, 1983, certain territory known as McHENRY-DRY CREEK MUNICIPAL REORGANIZATION, and

WHEREAS, the inclusion of the area contained in McHENRY-DRY CREEK MUNICIPAL REORGANIZATION to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as McHENRY-DRY CREEK MUNICIPAL REORGANIZATION (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.



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SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 236.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, October 18, 1983, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 236.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in twenty-one (21) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

A. COFFEE RUMBLE AREA

1. On the West side of Coffee Road on the North line of the reorganization, approximately 800 feet North of East Rumble Road.

2. On the West side of Coffee Road approximately 450 feet North of East Rumble Road.

3. On the West side of Coffee Road on the South line of the reorganization, approximately 100 feet North of East Rumble Road.

B. LINCOLN ESTATES - WYCLIFFE AREA

1. On the South side of Scenic Drive on the West line of the reorganization at Scenic Court.

2. On the West side of Lakewood Drive on the North line of the reorganization, approximately 100 feet South of Laramie Drive.

3. On the Southwest corner of Claus Road and Scenic Drive.

C. LUCERN - COFFEE AREA

1. On the Northwest corner of Coffee Road and Morris Avenue.

2. On the Southwest corner of Coffee Road and Lucern Avenue.

3. On the Southeast corner of Lucern Avenue and Milo Road.

D. OAKDALE - FLOYD AREA

1. On the East side of Rose Avenue at Ensenada Drive.

2. On the West side of Oakdale Road on the North line of the reorganization, approximately 650 feet South of Floyd Avenue.

3. On the West side of Oakdale Road on the South line of the reorganization, approximately 750 feet North of Celeste Drive.

E. SCENIC - COFFEE AREA

1. On the South side of Scenic Drive at Rose Avenue.

2. On the South side of Scenic Drive at the East line of Scenic General Hospital.

3. On the South side of Scenic Drive at Coffee Road.

F. SCENIC - SONOMA AREA

1. On the Northwest corner of Scenic Drive and Sonoma Avenue.

2. On the North side of Scenic Drive on the West line of the reorganization, approximately 800 feet East of Oakdale Road.

3. On the West side of Sonoma Avenue, on the North line of the reorganization, approximately 800 feet North of Scenic Drive.

G. SHERWOOD FOREST AREA

1. On the South side of Robin Hood Drive on a West line of the reorganization, approximately 200 feet East of McHenry Avenue.

2. On the North side of East Rumble Road on a West line of the reorganization, approximately 100 feet East of Quigley Avenue.

3. On the North side of East Rumble Road at Hampshire Lane.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 236, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers None

ABSENT: Councilmembers None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Engineering Services Department

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Coffee - Rumble Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern corner of the COFFEE-RUMBLE ANNEXATION (403), as per description filed June 19, 1979, as Instrument 82967, Stanislaus County Records, said point being on a Western line of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point also being on the East line of said Section 9;

1. thence along the existing City Limits along the Northern line of said ANNEXATION (403), North 89°37' West, 298.00 feet, to the Northwestern corner of ANNEXATION (403), and a point on the Eastern line of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Eastern line of ADDITION (157), North 00°50'30" West, 711.00 feet, to the Southwestern corner of the COFFEE NO. 3 ANNEXATION (383), as per description filed October 2, 1978, as Instrument 21312, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Southern line of said ANNEXATION (383), South 89°37' East, 298.00 feet, to the Southeastern corner of ANNEXATION (383), and a point on the Western line of the SYLVAN SCHOOL NO. 2 ADDITION (300), as per description filed January 19, 1973, as Instrument 29981, Stanislaus County Records;

4. thence continuing along the existing City Limits on said Western line of ADDITION (300), and said East line of Section 9, South 00°50'30" East, 403.96 feet, to the Southwestern corner of ADDITION (300), and the Northwestern corner of said ADDITION (252);

5. thence continuing along the existing City Limits on a Western line of ADDITION (252), and the East line of Section 9, South 00°50'30" East, 307.04 feet, to the point of beginning, containing 4.863 Acres, more or less.

EXHIBIT "A"

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION
(Lincoln Estates-Wycliffe Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 23, the South one-half of Section 24 and the North one-half of Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the CLAUS-DRY CREEK GOVERNMENTAL REORGANIZATION (415), as per description filed April 4, 1980, as Instrument 62872, Stanislaus County Records, said point being on the East line of said Section 24 and the center line of Claus Road;

1. thence along the existing City Limits on the Western line of said GOVERNMENTAL REORGANIZATION (415), North 00°47'00" West, 231.32 feet, to the Southeastern corner of the SCENIC-CLAUS ADDITION (399), as per description filed May 7, 1979, as Instrument 70628, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (399) and the center line of Scenic Drive, the following bearings and distances, South 89°13'00" West, 20.00 feet;

3. thence Westerly along a tangent curve concave to the South, having a Radius of 145.10 feet, a Central Angle of 18°23'00" and an Arc Length of 46.56 feet;

4. thence South 70°50'00" West, 245.91 feet;

5. thence Westerly along a tangent curve concave to the Northwest, having a Radius of 350.00 feet, a Central Angle of 17°57'30" and an Arc Length of 109.70 feet;

6. thence North 01°12'30" West, 5.00 feet;

7. thence South 88°48'00" West, 769.86 feet, to a Southeastern corner of the SPRING CREEK ADDITION (325), as per description filed January 15, 1975, as Instrument 26879, Stanislaus County Records;

8. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (325) and the center line of Scenic Drive, the following bearings and distances, South 88°48'00" West, 114.87 feet;

9. thence North 85°05'00" West, 493.32 feet;

10. thence South 86°14'30" West, 330.69 feet;

Exhibit "B"

11. thence South 64°48'00" West, 272.20 feet;

12. thence South 56°10'30" West, 304.60 feet;

13. thence South 45°30'00" West, 129.51 feet;

14. thence South 74°13'20" West, 161.82 feet;

15. thence South 87°55'00" West, 87.63 feet, to a Southeastern corner of the ORANGEBURG-LILLIAN ADDITION (302), as per description filed March 22, 1973, as Instrument 40448, Stanislaus County Records;

16. thence continuing along the existing City Limits on a Southern line of said ADDITION (302) and the center line of Scenic Drive, South 87°55'00" West, 327.34 feet, to a Southwestern corner of ADDITION (302);

17. thence continuing along the existing City Limits on a Western line of said ADDITION (302), North 00°52'10" West, 1337.33 feet, to the Northeastern corner of LINCOLN ESTATES NO. 4 SUBDIVISION, as per map filed July 28, 1965, in Volume 21 of Maps, Page 14, Stanislaus County Records, and a point on a Southern line of ADDITION (302);

18. thence continuing along the existing City Limits on said Southern line of ADDITION (302), South 89°20'20" West, 645.26 feet, to a Southwestern corner of ADDITION (302) and the Southeastern corner of the ORANGEBURG-LAKEWOOD ADDITION (328), as per description filed February 24, 1975, as Instrument 32476, Stanislaus County Records;

19. thence continuing along the existing City Limits on the Southern line of said ADDITION (328), South 89°20'20" West, 1309.25 feet, to the Southwestern corner of ADDITION (328) and the Southeastern corner of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972, as Instrument 23377, Stanislaus County Records;

20. thence continuing along the existing City Limits on a Southern line of said ADDITION (292), South 89°47' West, 656.99 feet, to a Southwestern corner of ADDITION (292), and a Southeastern corner of the ORANGEBURG-SONOMA ADDITION (299), as per description filed October 27, 1972, as Instrument 17572, Stanislaus County Records;

21. thence continuing along the existing City Limits on a Southern line of said ADDITION (292), South 89°47' West, 123.86 feet, to a Northeastern corner of the SCENIC-LAKEWOOD ADDITION (332), as per description filed May 30, 1975, as Instrument 46313, Stanislaus County Records;

22. thence continuing along tne existing City Limits on tne boundary of said ADDITION (332), tne following bearings and distances, South 00°59' East, 446.29 feet;

23. thence Northn 89°47' East, 780.85 feet, to the center line of Lakewood Avenue;

24. thence along said center line of Lakewood Avenue, South 00°59' East, 166.02 feet;

25. thence South 89°48'20" West, 190.00 feet;

26. thence South 00°59' East, 415.74 feet;

27. thence South 68°27'21" West, 144.52 feet, to a Northeastern corner of the SCENIC-LAKEWOOD NO. 2 ADDITION (374), as per description filed June 23, 1978, as Instrument 81725, Stanislaus County Records;

28. thence continuing along tne existing City Limits on tne boundary of said ADDITION (374), tne following bearings and distances, South 00°59' East, 385.57 feet;

29. thence North 88°18' East, 325.32 feet, to said center line of Lakewood Avenue;

30. thence South 00°59' East, 324.25 feet;

31. thence South 77°47'15" West, 601.90 feet;

32. thence South 50°22'28" West, 250.68 feet, to a Northeastern corner of the SCENIC BEND NO. 2 GOVERNMENTAL REORGANIZATION (425), as per description filed July 3, 1980, as Instrument 721, Stanislaus County Records;

33. thence continuing along the existing City Limits on a Southeastern line of said GOVERNMENTAL REORGANIZATION (425), South 29°39'49" West, 583.62 feet, to an Eastern corner of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977 as Instrument 15057, Stanislaus County Records;

34. tnence continuing along tne existing City Limits on a Southeastern line of said ADDITION (359), Southn 29°39'49" West, 81.92 feet, to a Northwestern corner of the LINCOLN NO. 3 ADDITION (340), as per description filed February 4, 1976, as Instrument 35053, Stanislaus County Records;

35. thence continuing along the existing City Limits on tne boundary of said ADDITION (340), tne following bearings and distances, North 89°46'30" East, 174.07 feet, to the center line of Dry Creek;

36. tnence along the center line of Dry Creek, North 26°03'20" East, 151.95 feet;

37. thence continuing along the center line of Dry Creek, North 34°09'26" East, 77.77 feet, to a Northwestern corner of the DRY CREEK PARK NO. 2 ADDITION (293), as per description filed June 30, 1972, as Instrument 26860, Stanislaus County Records;

38. thence continuing along the existing City Limits on the boundary of said ADDITION (293) and the center line of Dry Creek, the following bearings and distances, North 29°39'15" East, 30.01 feet;

39. thence North 34°20'00" East, 125.00 feet;

40. thence North 57°30'00" East, 155.00 feet;

41. thence North 65°10'00" East, 262.00 feet;

42. thence North 69°47'39" East, 188.72 feet;

43. thence South 87°32'00" East, 167.24 feet;

44. thence South 87°09'30" East, 216.88 feet;

45. thence South 67°34'30" East, 154.51 feet;

46. thence North 86°54'00" East, 73.13 feet;

47. thence South 77°38'00" East, 206.05 feet;

48. thence North 87°47'30" East, 49.70 feet;

49. thence South 67°03'00" East, 111.21 feet;

50. thence South 73°48'00" East, 83.48 feet;

51. thence South 82°22'00" East, 226.12 feet;

52. thence North 86°28'00" East, 101.84 feet;

53. thence leaving the center line of Dry Creek and along the boundary of ADDITION (293), South 00°58'28" East, 361.46 feet;

54. thence along a Northern line of ADDITION (293) and the South line of said Section 24, North 89°19'27" East, 710.06 feet, to the center line of Dry Creek;

55. thence continuing along the boundary of ADDITION (293) and the center line of Dry Creek, the following bearings and distances, South 58°38'55" East, 291.72 feet;

56. thence South 67°28'49" East, 73.30 feet;

57. thence South 59°43'19" East, 101.10 feet;

58. thence North 80°09'47" East, 212.25 feet;

59. thence North 66°17'08" East, 152.36 feet, to a Northwestern corner of LINCOLN NO. 2 ADDITION (324), as per description filed November 19, 1974, as Instrument 19676, Stanislaus County Records;

60. thence continuing along the existing City Limits on a Northwestern line of said ADDITION (324), North 54°00'52" East, 244.37 feet, to a Northwestern corner of ADDITION (324) and a point on the Northern line of said Section 25;

61. thence leaving the existing City Limits and along the center line of Dry Creek, the following bearings and distances; North 64°55' East, 180.00 feet;

62. thence North 32°29'30" East, 308.77 feet;

63. thence North 12°50'50" West, 58.46 feet;

64. thence West, 32.00 feet;

65. thence North 18°30" West, 141.83 feet;

66. thence North 40°18'20" West, 109.76 feet;

67. thence North 29°52' West, 532.18 feet;

68. thence North 21°52'30" West, 144.93 feet;

69. thence North 45°00' East, 76.37 feet;

70. thence North 09°56' East, 67.00 feet;

71. thence Easterly along the center line of Dry Creek to the point of beginning, containing 165.5 Acres, more or less.

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Lucern - Coffee Area)

All that real property in tne State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of tne MORRIS ADDITION (224), as per description filed October 31, 1968, as Instrument 34429, Stanislaus County Records, said point being on a Western line of the SUNNYSIDE ANNEXATION (410), as per description filed July 26, 1979, as Instrument 6061, Stanislaus County Records;

1. thence along the existing City Limits on the Northern line of said ADDITION (224), and the center line of 60.00 foot East Morris Avenue, South 89°57' West, 308.00 feet, to the Northwestern corner of ADDITION (224), and a point on the Eastern line of the TSCHANTZ-VAN HORN ADDITION (48), as per description filed June 12, 1953, as Instrument 14774, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Eastern line of ADDITION (48), North 00°54' West, 161.20 feet, to the Northeastern corner of ADDITION (48);

3. thence continuing along the existing City Limits on tne Northern line of ADDITION (48), North 89°59'15" West, 174.86 feet, to the Northwestern corner of ADDITION (48), and a point on an Eastern line of the ESGAR TRACT ADDITION (8), as per description filed December 6, 1939, as Instrument 15815, Stanislaus County Records;

4. thence continuing along tne existing City Limits on said Eastern line of ADDITION (8), North 00°54' West, 133.67 feet, to the Soutnwestern corner of the MILO ADDITION (211), as per description filed February 28, 1968, as Instrument 6307, Stanislaus County Records;

5. thence continuing along tne existing City Limits on the Southern line of said ADDITION (211), South 89°57' East, 142.97 feet, to the Southeastern corner of ADDITION (211);

6. thence continuing along tne existing City Limits on tne Eastern line of ADDITION (211), Northn 00°54' West, 362.48 feet, to the Northeastern corner of ADDITION (211), and a point on a Southern line of the DOWNEY HIGH SCHOOL AND JOHN MUIR SCHOOL ADDITION (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records;

EXHIBIT "C"

7. thence continuing along the existing City Limits on said Soutnern line of ADDITION (33), said line oeing the North line of said Section 28 and the center line of 60.00 foot Lucern Avenue, South 89°57' East, 339.90 feet, to a Southeastern corner of ADDITION (33), the Northeast corner of Section 28, and a point on the Western line of tne COFFEE-LUCERN NO. 1 ADDITION (343), as per description filed March 26, 1976, as Instrument 44153, Stanislaus County Records;

8. thence continuing along tne existing City Limits on said Western line of ADDITION (343), said line oeing the East section line of Section 28 and the center line of 90.00 foot Coffee Road, Soutn 00°54' East, 495.00 feet, to the Soutnwestern corner of ADDITION (343), and the Northwestern corner of said ANNEXATION (410);

9. thence continuing along the existing City Limits on said Western line of ANNEXATION (410), and said East line of Section 28 and said center line of Coffee Road, South 00°54' East, 161.70 feet, to the point of beginning, containing 5.446 Acres, more or less.

June 23, 1983

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Oakdale - Floyd Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 15, Townsnip 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the CELESTE NO. 3 ADDITION (268), as per description filed February 12, 1971, as Instrument 5278, Stanislaus County Records, said point also being on the Western line of the ORCHARD NEIGHBORHOOD ADDITION (398), as per description filed March 23, 1979, as Instrument 59989, Stanislaus County Records, said point also being the East quarter section corner of said Section 15;

1. thence along the existing City Limits on the Northern line of said ADDITION (268), North 89°22'05" West, 778.25 feet, to the Northeastern corner of the CELESTE NO. 2 ADDITION (246), as per description filed December 29, 1969, as Instrument 42493, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Northern line of said ADDITION (246), North 89°22'05" West, 534.09 feet, to the Northeastern corner of the ROSE ACRES NO. 2 ADDITION (222), as per description filed September 19, 1968, as Instrument 29381, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Northern line of said ADDITION (222), North 89°22'05" West, 1292.14 feet, to a Southeastern corner of the FLOYD ADDITION (259), as per description filed August 17, 1970, as Instrument 26194, Stanislaus County Records;

4. thence continuing along the existing City Limits on an Eastern line of said ADDITION (259), said line also being the Eastern line of 40.00 foot Rose Avenue, North, 660.00 feet;

5. thence continuing along the existing City Limits on a Southern line of said ADDITION (259), South 89°23'21" East, 964.49 feet, to the Southwestern corner of the OAKDALE-FLOYD NO. 2 ADDITION (379), as per description filed August 3, 1978, as Instrument 7281, Stanislaus County Records;

6. thence continuing along the existing City Limits on the Southern line of said ADDITION (379), South 89°23'21" East, 1640.53 feet, to the Southeastern corner of ADDITION (379) and a point on said Western line of said ADDITION (398);

EXHIBIT "D"

7. thence continuing along tne existing City Limits on said Western line of ADDITION (398), said line being the center line of Oakdale Road and the section line common to Sections 14 and 15, above Township and Range, Soutn 0°01'26" West, 660.96 feet, to the point of beginning, containing 39.495 Acres, more or less.

MCHENRY-DRY CREEK MUNICIPAL REORGANIZATION
(Scenic-Coffee Area)

All that real property in the State of California, County of Stanislaus, being a portion of the North one-half of Section 27 and the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the SCENIC-ROSE NO. 1 ADDITION (311), as per description filed October 29, 1973, as Instrument 16851, Stanislaus County Records, said point being on the center line of former 50.00 foot Scenic Drive;

1. thence along the existing City Limits on the Western line of said ADDITION (311), said line being parallel with and 29.04 feet Easterly from the North-South quarter section line of said Section 27, South 00°19'25" East, 619.63 feet, to the Southwestern corner of ADDITION (311), and a Northwestern corner of the SCENIC-ENCINA ADDITION (315), as per description filed February 27, 1974, as Instrument 33322, Stanislaus County Records;

2. thence leaving the existing City Limits and along the center line of Dry Creek, the following bearings and distances, South 76°23'12" West, 169.00 feet;

3. thence South 80°03'22" West, 123.00 feet;

4. thence South 57°08'32" West, 297.00 feet;

5. thence South 60°36'42" West, 176.57 feet, to the Northeastern corner of the EDGEBROOK NO. 1 ADDITION (297), as per description filed October 17, 1972, as Instrument 16035, Stanislaus County Records;

6. thence continuing along the existing City Limits on the Northern boundary of ADDITION (297), and the center line of Dry Creek, the following bearings and distances, South 69°24'23" West, 86.06 feet;

7. thence South 86°09'23" West, 73.59 feet;

8. thence South 88°22'23" West, 66.07 feet;

9. thence South 81°39'23" West, 66.66 feet;

EXHIBIT "E"

10. thence Soutn 89°44'23" West, 85.15 feet;

11. tnence Soutn 73°51'23" West, 75.00 feet;

12. thence Soutn 00°15'37" East, 10.50 feet;

13. thence South 80°52'23" West, 94.16 feet;

14. thence Nortn 81°35'55" West, 101.39 feet, to tne Soutneastern corner of the SCENIC ADDITION (186), as per description filed February 3, 1966, as Instrument 4293, Stanislaus County Records;

15. thence continuing along tne existing City Limits on the Eastern line of said ADDITION (186), said line being tne Eastern line of the Southwest quarter of tne Northwest quarter of Section 27, North 00°25'53" East, 111.01 feet, to the Nortneastern corner of ADDITION (186);

16. thence continuing along tne existing City Limits on the Northern line of ADDITION (186), said line being tne Nortnern line of tne Southwest quarter of the Northwest quarter of Section 27, North 89°02'37" West, 1020.00 feet, to the Northwestern corner of ADDITION (186);

17. thence continuing along tne existing City Limits on the Western line of ADDITION (186), Soutn 00°21'23" West, 268.17 feet, to the center line of Dry Creek and a point on a Northern line of the LA LOMA-YOSEMITE ADDITION (55), as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records;

18. tnence continuing along tne existing City Limits on the Northern line of said ADDITION (55), and tne center line of Dry Creek, Westerly, to a point on an Eastern line of tne ORIGINAL CITY, as incorporated August 6, 1884;

19. tnence continuing along the existing City Limits on said Eastern line of tne ORIGINAL CITY, Northerly, to the Southeastern corner of the CAPITAL HEIGHTS ADDITION (1), said point being the Southeast corner of tne Northwest quarter of tne Northeast quarter of said Section 28;

20. thence continuing along tne existing City Limits on the Eastern line of said ADDITION (1), said line being the East line of said Northwest quarter of tne Northeast quarter of Section 28, Northerly, to the Soutnwestern corner of tne PORTION OF LOT 44 OF THE BROUGHTON COLONY ADDITION (32), as per description filed May 18, 1950, as Instrument 11062, Stanislaus County Records;

21. thence continuing along the existing City Limits on a Soutnern line of said ADDITION (32), South 89°21'East, 943.80 feet;

22. thence continuing along the existing City Limits on a Soutnern line of said ADDITION (32), North 73°45' East, 34.32 feet, to a Northwestern corner of the SCENIC NO. 2 ADDITION (229), as per description filed May 2, 1969, as Instrument 15075, Stanislaus County Records;

23. thence continuing along tne existing City Limits on the Western and Southern boundaries of said ADDITION (229), tne following bearings and distances, South 00°54' East, 373.05 feet;

24. thence Nortn 68°12'30" East, 362.25 feet, to the Southeastern corner of ADDITION (229), and the Soutnwestern corner of tne SCENIC-COFFEE ANNEXATION (429), as per description filed November 4, 1980, as Instrument 32241, Stanislaus County Records;

25. thence continuing along tne existing City Limits on a Soutnern line of said ANNEXATION (429), and the center line of 90.00 foot Scenic Drive, North 69°14'00" East, 442.46 feet, to tne Southeastern corner of ANNEXATION (429), and the Southwestern corner of the SUNNYSIDE ANNEXATION (410), as per description filed July 26, 1979, as Instrument 6061, Stanislaus County Records;

26. thence continuing along the existing City Limits on a Soutnern line of said ANNEXATION (410), and said center line of Scenic Drive, North 69°14' East, 140.76 feet, to tne Soutneastern corner of ANNEXATION (410), and the Southwestern corner of tne SUNNYSIDE NO. 2 ANNEXATION (442), as per description filed September 30, 1981, as Instrument 17819, Stanislaus County Records;

27. thence continuing along tne existing City Limits on a Southern line of said ANNEXATION (442), the following bearings and distances, North 69°14' East, 770.31 feet;

28. thence Nortn 76°14' East, 74.96 feet, to tne Southeastern corner of ANNEXATION (442), and the Southwestern corner of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

29. thence continuing along tne existing City Limits on the Soutnern line of said ADDITION (226), and the center line of Scenic Drive, Nortn 74°00'23" East, 1400.34 feet, to the point of beginning, containing 55.4 Acres, more or less.

June 23, 1983

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Scenic - Sonoma Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 23 and the North one-half of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977, as Instrument 15057, Stanislaus County Records, said point being on the center line of Dry Creek, said point also being the Southwestern corner of the property conveyed to Jack E. Goodwin, et ux, by deed recorded January 6, 1977, as Instrument 35756, Stanislaus County Records;

1. thence along the existing City Limits on a Western line of said ADDITION (359), and the Western line of said Goodwin property, North 00°52'36" West, 435.73 feet, to a point on the former 40.00 foot wide Scenic Drive and a Southern line of the SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Southern line of ADDITION (285), North 89°00'21" West, 1203.36 feet, to a Southwestern corner of ADDITION (285);

3. thence continuing along the existing City Limits on a Western line of ADDITION (285), said line being the center line of Sonoma Avenue and the North-South quarter section line of said Sections 23 and 28, North 00°51'41" West, 861.11 feet, to the Southeastern corner of the SONOMA NO. 1 ADDITION (277), as per description filed October 20, 1971, as Instrument 40190, Stanislaus County Record;

4. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (277), the following bearings and distances, South 69°36'19" West, 187.27 feet;

5. thence North 84°54'41" West, 583.94 feet;

6. thence South 83°11'19" West, 428.36 feet, to the Southeastern corner of the SCENIC VILLAGE ADDITION (187), as per description filed March 24, 1966, as Instrument 10379, Stanislaus County Records;

7. thence continuing along the existing City Limits on a Southern line of said ADDITION (187), South 83°11'19" West, 220.49 feet;

EXHIBIT "F"

8. thence continuing along the existing City Limits on a Southern line of ADDITION (187), North 74°53'41" West, 397.37 feet, to the Northeastern corner of the SCENIC-OAKDALE ADDITION (371), as per description filed April 5, 1978, as Instrument 63080, Stanislaus County Records;

9. thence continuing along the existing City Limits on the Eastern line of said ADDITION (371), South 00°56'11" West, 763.66 feet, to the Southeast corner of ADDITION (371), and a point on the center line of 50.00 foot Scenic Drive and a point on a Northern line of the SCENIC-OAKDALE NO. 3 ANNEXATION (452), as per description filed December 30, 1982, as Instrument 34239, Stanislaus County Records;

10. thence continuing along the existing City Limits on the Northern and Eastern boundaries of said ANNEXATION (452), the following bearings and distances, South 67°01'41" East, 96.82 feet;

11. thence Easterly along a tangent curve concave to the North, having a Radius of 572.96 feet, a Central Angle of 21°47'48" and an Arc Length of 217.97 feet;

12. thence along a tangent line, South 88°49'29" East, 355.37 feet;

13. thence leaving the center line of Scenic Drive, South 00°13'29" East, 408.93 feet, to a point on a Northern line of the DRY CREEK PARK NO. 3 ADDITION (313), as per description filed January 21, 1974, as Instrument 27802, Stanislaus County Records;

14. thence continuing along the existing City Limits on the Northeastern boundary of said ADDITION (313), the following bearings and distances, North 85°57'31" East, 149.40 feet;

15. thence South 00°13'29" East, 130.00 feet;

16. thence South 51°11' East, 340.00 feet;

17. thence South 41°32'47" East, 198.31 feet;

18. thence South 33°07'30" East, 99.20 feet;

19. thence South 20°05'54" East, 139.11 feet;

20. thence South 00°13'31" East, 200.00 feet, to a point on a Northern line of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

21. thence continuing along the existing City Limits on the Northern boundary of said ADDITION (228), the following bearings and distances, South 89°57'25" East, 280.38 feet;

22. thence South 56°49'35" East, 299.55 feet, to tne Nortnwestern corner of the DRY CREEK PARK NO. 4 GOVERNMENTAL REORGANIZATION (428), as per description filed September 24, 1980, as Instrument 18720, Stanislaus County Records;

23. thence continuing along tne existing City Limits on tne Northern boundary of said GOVERNMENTAL REORGANIZATION (428), the following bearings and distances, South 75°30'00" East, 344.32 feet;

24. thence North 72°30'00" East, 297.00 feet;

25. thence North 47°30'00" East, 231.00 feet;

26. thence Nortn 21°45'00" East, 660.00 feet;

27. thence Nortn 31°30'00" East, 231.00 feet;

28. thence North 54°45'00" East, 37.20 feet, to tne point of beginning, containing 92.587 Acres, more or less.

June 23, 1983

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Sherwood Forest Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the HARTE TRACT ADDITION (223), as per description filed October 18, 1968, as Instrument 33012, Stanislaus County Records, said point being on the most Eastern boundary of the CROCCO ADDITION (171), as per description filed March 17, 1965, as Instrument 10620, Stanislaus County Records;

1. thence along the existing City Limits on said Eastern boundary of ADDITION (171), North 00°47'00" West, 895.13 feet, to the Northeastern corner of ADDITION (171);

2. thence continuing along the existing City Limits on the Northern boundary of ADDITION (171), North 89°23'20" West, 1129.00 feet, to a Southeastern corner of the McHENRY ADDITION (241), as per description filed October 9, 1969, as Instrument 33951, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Eastern line of ADDITION (241), North 00°47'30" West, 395.50 feet, to the Northeastern corner of ADDITION (241), said point also being the Southwestern corner of the NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), as per description filed April 15, 1981, as Instrument 61596, Stanislaus County Records, said point being also the center line of 60.00 foot Robin Hood Drive;

4. thence continuing along the existing City Limits on a Southern line of GOVERNMENT REORGANIZATION (435), said line being a non-tangent curve concave to the Southwest, having a Radius of 670.00 feet, a Central Angle of 17°15'15" and an Arc Length of 201.77 feet, to a point of reverse curvature from which point a radial line bears North 28°57'30" East;

5. thence continuing along the existing City Limits along said Southerly boundary of GOVERNMENTAL REORGANIZATION (435), on said reverse curve concave to the Northeast, having a Radius of 530.00 feet, a Central Angle of 10°59'12" and an Arc Length of 101.63 feet, to the most Southerly corner of GOVERNMENTAL REORGANIZATION (435), from which point a radial line bears North 17°58'18" East;

6. thence continuing along the existing City Limits on an Eastern line of GOVERNMENTAL REORGANIZATION (435), and the center line of a 20.00 foot alley, North 00°47'30" West, 129.80 feet;

EXHIBIT "G"

7. thence continuing along the existing City Limits on a Soutnern line of GOVERNMENTAL REORGANIZATION (435), and the center line of a 20.00 alley, South 89°23'20" East, 190.32 feet, to the Southeastern corner of GOVERNMENTAL REORGANIZATION (435);

8. thence leaving the existing City Limits and continuing along tne center line of tne East-West alley in Block 12321 of tne SHERWOOD FOREST Suodivision, as per map filed August 13, 1956 in Volume 18 of Maps, Page 56, Stanislaus County Records, South 89°23'20" East, 658.94 feet, to a point on the center line of 60.00 foot Doncaster Lane and a point on the Western line of the SHERWOOD FOREST NO. 2 ADDITION (451), as per description filed June 21, 1982, as Instrument 28536, Stanislaus County Records;

9. thence along the existing City Limits on said Western line of ADDITION (451), South 00°47'00" East, 10.01 feet, to the Soutnwestern corner of ADDITION (451);

10. thence continuing along the existing City Limits on the Southern line of ADDITION (451), and the Nortnern line of said Snerwood Forest Suodivision, South 89°23'20" East, 1318.76 feet, to a point on tne Western line of tne CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records;

11. thence continuing along tne existing City Limits on said Western line of ADDITION (275), South 00°46'00" East, 159.54 feet, to the Nortnwestern corner of the CRESTWOOD TERRACE NO. 2 ADDITION (162), as per description filed March 24, 1964, as Instrument 11958, Stanislaus County Records;

12. thence continuing along the existing City Limits on tne Western line of ADDITION (162), South 00°46'00" East, 1161.05 feet, to the Southwestern corner of ADDITION (162), and a point on the Nortnern line of the SHERWOOD MANOR ADDITION (94), as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records;

13. thence continuing along tne existing City Limits on said Nortnern line of ADDITION (94), North 89°30'00" West, 464.42 feet, to the Northwestern corner of ADDITION (94), and a point on the Eastern line of said HARTE TRACT ADDITION (223);

14. thence continuing along the existing City Limits on said Eastern line of ADDITION (223), North 00°39'30" West, 20.00 feet, to the Northeastern corner of ADDITION (223);

15. tnence continuing along the existing City Limits on tne Northern line of ADDITION (223), said line being the Northern line of East Rumble Road, North 89°30'00" West, 854.23 feet, to the point of beginning, containing 49.993 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-578

A RESOLUTION APPROVING THE APPLICATION FOR 1980 STATE GRANT MONEYS FOR THE SONOMA NEIGHBORHOOD PARK SECURITY LIGHTING PROJECT.

WHEREAS, the people of the State of California have enacted the California Parklands Act of 1980, which provides funds to the State of California and its political subdivisions for acquiring lands and for developing facilities for public recreation and historical purposes, and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by local agencies under the program, and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications prior to submission of said applications to the state, and

WHEREAS, said applications contain assurances that the applicant must comply with, and

WHEREAS, the applicant agency will enter into an agreement with the State of California for the acquisition and/or development of the project,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto:

1. Approves the filing of an application for 1980 state grant assistance for the Sonoma Neighborhood Park Security Lighting project; and

2. Certifies that said agency understands the assurances and certification in the application; and

3. Certifies that said agency has or will have sufficient funds to

operate and maintain the project; and

4. Certifies that said agency has reviewed and understands the General Provisions contained in the state/local agreement; and

5. Appoints the City Manager as agent of the City to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, payment requests, and other documents, which may be necessary for the completion of the aforementioned project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-579

A RESOLUTION APPROVING THE APPLICATION FOR 1980 STATE GRANT MONEYS FOR THE DAVIS COMMUNITY PARK PICNIC SHELTER PROJECT.

WHEREAS, the people of the State of California have enacted the California Parklands Act of 1980, which provides funds to the State of California and its political subdivisions for acquiring lands and for developing facilities for public recreation and historical purposes, and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by local agencies under the program, and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications prior to submission of said applications to the state, and

WHEREAS, said applications contain assurances that the applicant must comply with, and

WHEREAS, the applicant agency will enter into an agreement with the State of California for the acquisition and/or development of the project,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto:

1. Approves the filing of an application for 1980 state grant assistance for the Davis Community Park Picnic Shelter project; and

2. Certifies that said agency understands the assurances and certification in the application; and

3. Certifies that said agency has or will have sufficient funds to

operate and maintain the project; and

4. Certifies that said agency has reviewed and understands the General Provisions contained in the state/local agreement; and

5. Appoints the City Manager as agent of the City to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, payment requests, and other documents, which may be necessary for the completion of the aforementioned project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-580

A RESOLUTION APPROVING THE APPLICATION FOR 1980 STATE GRANT MONEYS FOR THE DOWNEY COMMUNITY PARK PICNIC SHELTER PROJECT.

WHEREAS, the people of the State of California have enacted the California Parklands Act of 1980, which provides funds to the State of California and its political subdivisions for acquiring lands and for developing facilities for public recreation and historical purposes, and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by local agencies under the program, and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications prior to submission of said applications to the state, and

WHEREAS, said applications contain assurances that the applicant must comply with, and

WHEREAS, the applicant agency will enter into an agreement with the State of California for the acquisition and/or development of the project,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto:

1. Approves the filing of an application for 1980 state grant assistance for the Downey Community Park Picnic Shelter project; and

2. Certifies that said agency understands the assurances and certification in the application; and

3. Certifies that said agency has or will have sufficient funds to

operate and maintain the project; and

4. Certifies that said agency has reviewed and understands the General Provisions contained in the state/local agreement; and

5. Appoints the City Manager as agent of the City to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, payment requests, and other documents, which may be necessary for the completion of the aforementioned project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-581

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** TO CONSIDER PROPOSED NEW BUS DEPLOYMENT PLAN AND PROPOSED FARE INCREASE/SERVICE CHANGES ON INTRACITY TRANSIT (IT) AND THE GENERAL PUBLIC DIAL-A-RIDE (DAR)

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** October 11, 1983 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a proposed new bus deployment plan and proposed fare increase/service changes in Intracity Transit (IT) and the general public Dial-A-Ride (DAR).

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** September**, 19**83**, by Councilmember** Whiteside**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-582

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (341).

WHEREAS, a verified application for an amendment to Section 6-4-9 of the Zoning Map was filed by Greater True Light Baptist Church on July 15, 1983, to reclassify from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the Southeast quarter of the Northwest quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

All that portion of Parcel B as shown on that certain parcel map filed in the office of the Recorder of Stanislaus County, California, on December 21, 1978, in Volume 28 of parcel maps, Page 41 and more particularly described as follows:

Commencing at the Westerly corner of said Parcel B, said corner being on the Southeastern right-of-way line of Paradise Road and the beginning of a curve concave to the northwest having a radius of 2040.00 feet; thence Northeasterly along said curve through a central angle of 6°25'08" a distance of 228.54 feet; thence continuing along the said southeastern right-of-way of Paradise Road and the Northerly line of said Parcel B, North 50° 06'17" East a distance of 671.35 feet to the true point of beginning of this description; thence continuing North 50°06'17" East along the Southeastern right-of-way line of said Paradise Road and the Northerly Line of said Parcel B, a distance of 406.61 feet to the beginning of a curve concave to the South having a radius of 15.00 feet; thence easterly along said curve through a central angle 90°00'00" a distance of 23.56 feet to a point on the Northeasterly line of said Parcel B; thence South 39°53'43" East along the said Northeasterly line of Parcel B, a distance of 88.91 feet to the beginning of a curve concave to the Southwest having a radius of 372.98 feet; thence Southeasterly along said curve through a central angle of 23°03'36" a distance of 150.11; thence South 50° 06'17" West along a line non-tangent to said curve, said line being the easterly line of said Parcel B, a distance of 76.93 feet; thence continuing along the East line of said Parcel B, South 0° 00'29" East, a distance of 211.15 feet; thence South 89°40'20" West along the Southerly line of said Parcel B a distance of 232.90'

Thence leaving the southern line of said Parcel B, North 39°53'43" West a distance of 263.67 feet to the Southeastern right-of-way line of said Paradise Road, the Northern line of said Parcel B and the true point of beginning.

Including also all of the southeastern one-half of the Paradise Road right-of-way located between the original centerline and said Parcel B and immediately adjacent to the above described property.

WHEREAS, after public hearing held on August 15, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The property is located at the corner of a major street and a collector street, an appropriate location for the proposed density of development.

2. The site plan is designed with sufficient setbacks to maintain compatibility with nearby single-family residences.

3. The proposed housing project for elderly and disabled persons will help satisfy a community need for this type of facility.

WHEREAS, after a public hearing held on September 13, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Greater True Light Baptist Church for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2211-C.S. on the 13th day of September, 1983, reclassifying the above-described property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(341).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(341) is hereby approved subject to the following conditions:

1. The applicant shall submit revised plot plans (and floor plans) showing all changes required by the Planning Commission prior to the City Council hearing. All development shall conform to these revised plans as amended in red, stamped approved by the Planning Commission on August 15, 1983.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the southerly property line adjacent to the single-family houses.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   six-foot board fence with decorative masonry pilasters along the westerly boundary.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Engineering to complete Paradise Road and Pine Tree Lane to major and collector street standards respectively prior to occupancy or upon demand by the City, whichever occurs first.

6. The required public street improvements shall be constructed prior to occupancy of any structure.

7. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Engineering.

8. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Engineering.

9. Drainage shall be provided as required by the Director of Engineering.

10. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Engineering.

11. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

12. All utilities shall be underground and either cable television service shall be stubbed into all units or one central radio and TV antenna may be provided with underground wiring to the individual units.

13. All signs shall comply with the sign requirements of the R-3 Zone.

14. Prior to the issuance of a building permit for any structure, a parcel map shall be recorded.

15. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Engineering.

16. This development be designed specifically for occupancy by the elderly, and to the extend permitted by law, occupancy shall be limited to persons 62 years of age and older, their spouses, and persons of any age who are physically handicapped.

17. All curbcuts serving two-way driveways shall be widened to 35 feet in width.

18. Prior to issuance of a building permit, the developer shall show on the plans submitted to Building Inspection all fire hydrants as required by the Fire Chief. All hydrants required by the Fire Chief shall be installed and operable prior to construction of any structures.

**SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (341):**

The entire construction program be accomplished in one phase, construction to begin on or before November 1, 1985, and completion to be not later than November 1, 1986.

**SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.**

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D ( 341 ) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Wicks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-583

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 6-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GREATER TRUE LIGHT BAPTIST CHURCH)

**WHEREAS, on** September 13, 19 83, **the City Council** introduced Ordinance No. 2211-C.S. **giving approval to a project relating to** an amendment to Section Map 6-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(341), **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 6-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(341).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-584

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR BANK REPAIR AND SLOPE PROTECTION AT KEWIN PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for bank repair and slope protection at Kewin Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 4, 1983, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-585

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR BRIGGSMORE AVENUE STREET LIGHTING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Briggsmore Avenue street lighting

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 4, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-586

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING CONCESSION SERVICE AT BEYER PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of concession services at Beyer Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 4, 1983, at 3:20 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-587

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING REQUEST FOR PROPOSALS FOR A FOOD AND SUNDRIES CONCESSION AT THE AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for a food and sundries concession at the Airport

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for request for proposals for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 4, 1983, at 3:30 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the proposals are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-588

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ASPHALT CONCRETE OVERLAY, RESIDENTIAL STREETS, 1983-84

WHEREAS, a report has been filed by the Director of Engineering that the construction of asphalt concrete overlay, residential streets, 1983-84 has been completed by The Flintkote Company

in accordance with the contract agreement dated July 5, 1983.

NOW, THEREFORE, BE IT RESOLVED that the construction of asphalt concrete overlay, residential streets, 1983-84 be accepted from said contractor, The Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $164,808.17 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-589

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** PARKING LOT IMPROVEMENTS AT AMERICAN LEGION HALL ON SOUTH SANTA CRUZ

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** parking lot improvements at American Legion Hall on South Santa Cruz **has been completed by** L.M. Roberts Construction

**in accordance with the contract agreement dated** April 5, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** parking lot improvements at American Legion Hall on South Santa Cruz **be accepted from said contractor,** L.M. Roberts Construction;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $37,623.17 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 13th **day of** September, **19** 83, **by Councilmember** Sutton, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-590

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE STANISLAUS COUNTY FIRE SAFETY DEPARTMENT TO ALLOW THE AUTOMATIC DISPATCH OF A WATER TANKER TO THE NEWLY ANNEXED GLENWOOD MOBILE HOME PARK, 2307 OAKDALE ROAD

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Stanislaus County Fire Safety Department to allow the automatic dispatch of a water tanker to the newly annexed Glenwood Mobile Home Park, 2307 Oakdale Road, which is not provided with an adequate water system for fire suppression purposes **be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 13th **day of** September, **19** 83, **by Councilmember** Sutton, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-591

A RESOLUTION ACCEPTING IMPROVEMENTS IN CARPENTER PLAZA SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Valley Oak Development Company, subdividers of Carpenter Plaza Subdivision, have filed subdivision bonds for faithful performance and labor and materials in the amount of $ 529,700.00 and $ 264,850.00 respectively to guarantee improvements in Carpenter Plaza Subd.; and

WHEREAS, the Director of Public Works in a memorandum dated September 7, 1983, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Carpenter Plaza Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bone for faithful performance in the amount of $529,700.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $264,850.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1983 by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-592

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** OF NECESSITY TO ACQUIRE RIGHT OF WAY NEEDED FOR THE SCENIC/CITY LIMITS TO SUNNYSIDE PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** October 4, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire right of way from John S. Sperry, Jr. and Sonja L. Sperry, needed for the Scenic/City limits to Sunnyside project.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 13th **day of** September**, 19** 83**, by Councilmember** Patterson**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-593

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

**WHEREAS, on** September 20, 19 83, **the City Council** introduced Ordinance No. 2214 -C.S. **giving approval to a project relating to** an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(293) to Medium Density Residential Zone, R-2, **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(293) to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-594

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 9-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PITTMAN)

**WHEREAS, on** September 20 **,** 1983 **, the City Council** introduced Ordinance No. 2215-C.S. **giving approval to a project relating to** an amendment to Section Map 9-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Highway Frontage Zone, H-1 **, and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 9-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Highway Frontage Zone, H-1 **.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 19 83, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-595

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

**WHEREAS, on** September 20 **, 19**83 **, the City Council** introduced Ordinance No. 2216-C.S. **giving approval to a project relating to** an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to repeal P-D(248) and rezone to R-1, property located on the north side of east Fairmont Avenue west of Coffee Road **, and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to repeal P-D(248) and rezone to R-1, property located on the north side of east Fairmont Avenue west of Coffee Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-596

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 2-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MICHAEL EPSTEIN)

**WHEREAS, on** September 20, 1983, **the City Council** introduced Ordinance No. 2217 -C.S. **giving approval to a project relating to** an amendment to Section Map 2-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(245) to Low Density Residential Zone, R-1, **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 2-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(245) to Low Density Residential Zone, R-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-597

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR A PORTION OF P-D(211) REZONED FROM P-D(308), PROPERTY LOCATED ON THE SOUTHWEST CORNER OF OAKDALE ROAD AND SYLVAN AVENUE.

WHEREAS, the City Council, by Ordinance No. 2057-C.S., which was introduced on July 7, 1981, finally adopted on July 14, 1981, and which became effective August 13, 1981, amended Section Map 10-3-9 of the Zoning Map to reclassify a portion of Planned Development Zone, P-D(211), to Planned Development Zone, P-D(308), to allow a neighborhood shopping center, and

WHEREAS, the City Council, by Resolution No. 81-567, approved a development plan for Planned Development Zone, P-D(308), and

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map was filed by U. S. By-Products, Inc. on June 15, 1983, to reclassify from Planned Development Zone, P-D(308), to Planned Development Zone, P-D(211), to allow a multiple-family residential development, the following described property:

All that certain real property situate in a portion of the Southeast Quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEGINNING at the East Quarter corner of said Section 10, said point being the centerline intersection of Sylvan Avenue with Oakdale Road; thence South $0^{0}$ 10' 55" West along the East line of said Section 10, and said centerline of Oakdale Road, a distance of 752.66 feet; thence North $89^{0}$ 49' 05" West, 723.45 feet; thence North $18^{0}$ 36' 35" West, 7.44 feet, thence Northeasterly along an arc of a tangent curve to the right, having a radius of 400.00 feet, through a central angle of $46^{0}$ 32' 00", an arc distance of 324.86 feet to a point of compound curvature; thence Northwesterly along an arc of a compound curve to the left, having a radius of 300.00 feet, through a central angle of $27^{0}$ 12' 10", an arc distance of 142.43 feet; thence tangent to the preceding curve North $0^{0}$ 43' 15" East, 300.00 feet to the intersection with the East-West Quarter Section Line of said Section 10 and said centerline of Sylvan Avenue; thence South $89^{0}$ 16' 45" East along said East-West Line and said centerline of Sylvan Avenue a distance of 663.93 feet to the Point of Beginning.

and

WHEREAS, a public hearing to consider said application for amendment was held by the Planning Commission on August 1, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Planning Commission, by Resolution No. 83-120, adopted on August 1, 1983, found and determined that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. Multiple-family residential development at this location is consistent with the Modesto Urban Area General Plan.

2. The property was originally part of P-D(211) and is to be rezoned for development in accordance with the original plan for P-D(211).

and

WHEREAS, said application for an amendment was set for public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on September 6, 1983, at 4:00 p.m., and continued to September 20, 1983, at 4:00 p.m., and

WHEREAS, after hearing evidence both oral and documentary, the Council found and determined that the application of U. S. By-Products for an amendment to Section 10-3-9 of the Zoning Map to rezone from Planned Development Zone, P-D(308) to Planned Development Zone, P-D(211), property located on the southwest corner of Oakdale Road and Sylvan Avenue, should be approved, and

WHEREAS, the Council has introduced Ordinance No. 2218 -C.S. on the 20th day of September, 1983, reclassifying the above-described property from Planned Development Zone, P-D(308), to Planned Development Zone, P-D(211),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto

as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for the portion of P-D(211) amendment rezoned from Planned Development Zone, P-D(308), is hereby approved subject to the following conditions:

1. All development of P-D(211) shall conform to the revised plot plans for P-D(211), as amended in red, stamped approved by the City Council on September 20, 1983.

2. All conditions of approval for P-D(211) as contained in City Council Resolution No. 79-1073 adopted on October 9, 1979, or as said resolution may hereafter be amended.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for the portion of P-D(211) rezoned from Planned Development Zone, P-D(308):

That the construction program be accomplished as part of Phase 4 of P-D(211), in accordance with the development schedule for Phase 4 as established by City Council Resolution No. 79-1073, adopted on October 9, 1979, or as said development schedule may hereafter be amended.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D(211) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William D. Richardson
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-598

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 10-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (U. S. BY-PRODUCTS, INC.)

WHEREAS, on September 20, 19 83, the City Council introduced Ordinance No. 2218-C.S. giving approval to a project relating to an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify Planned Development Zone, P-D(308), to Planned Development Zone, P-D(211), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify Planned Development Zone, P-D(308), to Planned Development Zone, P-D(211).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-599

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (340).

WHEREAS, a verified application for an amendment to Section 15-3-9 of the Zoning Map was filed by U. S. By-Products, Inc. on June 15, 1983, to reclassify from Planned Development Zone, P-D(211) to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus State of California, and as shown on the map of "Naraghi Lakes No. 1", as filed in Book 29 of Maps, at Page 114, Stanislaus County Records, described as follows:

Beginning at the centerline intersection of Floyd Avenue with the centerline of Oakdale Road (East line of Section 15) as shown on said map of Naraghi Lakes No. 1; thence along the centerline of Floyd Avenue, North 89°03'50" West, 615.03 feet; thence North 0°21'50" East, 769.44 feet to the centerline of Hashem Drive as shown on said map; thence Southeasterly along a curve in said centerline having a radius of 1000.00 feet, a central angle of 10°07'43" and an arc length of 176.78 feet to a point on a tangent line; thence continuing along said centerline South 89°38'10" East, 439.14 feet to its intersection with the centerline of Oakdale Road (East line of Section 15); thence South 0°21'50" West, 760.00 feet along said centerline to the point of beginning.

Containing 10.71 acres of land.

WHEREAS, after public hearing held on August 1, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The Modesto Urban Area General Plan calls for a Neighborhood Shopping Center at this street intersection.

2. The site design is compatible with the potential residential development in the area.

WHEREAS, after a public hearing held on September 6, 1983, and continued to September 20, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of U. S. By-Products, Inc. for a Planned Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2219-C.S. on the 20th day of September, 1983, reclassifying the above-described property from Planned Development Zone, P-D(211) to Planned-Development Zone, P-D(340).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(340) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Plot Plan - Naraghi Lakes Neighborhood Center" as amended in red, stamped approved by the City Council on September 20, 1983 .

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the west property line.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   Eight foot decorative masonry wall along the west property line

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall improve sufficient right-of-way as required by the Director of Engineering to complete Oakdale Road, Floyd Avenue, and Hashem Drive to major and collector street standards prior to occupancy or upon demand by the City, whichever occurs first.

6. Prior to issuance of a building permit, street improvement plans shall be approved as required by the Director of Engineering.

7. Prior to occupancy, the developer shall construct full sidewalk on the Oakdale Road, Floyd Avenue, and Hashem Drive frontage as required by the Director of Engineering.

8. Drainage shall be provided as required by the Director of Engineering.

9. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Engineering.

10. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

11. All businesses may be open to the public only between the hours of 7 a.m. and 10 p.m. seven days a week, unless a use permit for each business seeking additional hours is obtained from the Board of Zoning Adjustment.

12. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Engineering.

13. The loading dock area on the west side of the shopping center may not be used for outside storage of any type of material.

14. The supermarket shall be the first use to open for business in the shopping center.

15. Two freestanding shopping center identification signs shall be permitted, one each on the Oakdale Road and Floyd Avenue frontages. These signs shall not exceed 72 square feet in area and 20 feet in height. All other signs in the shopping center shall comply with the sign requirements of the H-1 Zone.

16. No signs higher than 8 feet shall be permitted on the west face of the buildings near the west property line.

17. Prior to the issuance of a building permit for any structure, a parcel map shall be recorded to create a separate site for the shopping center.

18. Prior to issuance of a building permit, the developer shall show on the plans submitted to Building Inspection all fire hydrants as required by the Fire Chief. All hydrants required by the Fire Chief shall be installed and operable prior to construction of any structures.

**SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (340):**

Phase I: Supermarket, drug, and retail sales complex, west side of property to begin on or before August 1, 1986, and completed on or before August 1, 1987.

Phase II: Buildings 1, 2, and 3 on plot plan, Oakdale Road frontage to begin on or before August 1, 1987, completed on or before August 1, 1988.

**SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.**

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D ( 340 ) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By _____
EDWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-600

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (U. S. BY-PRODUCTS, INC.)

WHEREAS, on September 20, 19 83, the City Council introduced Ordinance No. 2219-C.S. giving approval to a project relating to an amendment to Section Map 15-3-9 of the Zoning Map of the City of Modesto to reclassify a portion of Planned Development Zone, P-D(211), to Planned Development Zone, P-D(340), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 15-3-9 of the Zoning Map of the City of Modesto to reclassify a portion of Planned Development Zone, P-D(211), to Planned Development Zone, P-D(340).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-601

A RESOLUTION ACCEPTING THE BID OF KEN'S CRANE SERVICE FOR FURNISHING DREDGING SERVICES

WHEREAS, Resolution No. 83-481 adopted by the Council of the City of Modesto on July 19, 1983 , approved the plans and specifications for the purchase of dredging services
and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of dredging services

were opened at 3:00 p.m. on September 13, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Ken's Crane Service in the amount of $7,600
be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Ken's Crane Service in the amount of $7,600
be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1983 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-602

**A RESOLUTION ACCEPTING THE** INSTALLATION OF NINE MOBILE TWO-WAY RADIOS FOR INTRACITY TRANSIT FROM GENERAL ELECTRIC COMPANY

**WHEREAS, a report has been filed by the** Director of Parking and Traffic **that the** furnishing and installation of nine mobile two-way radios for Intracity Transit **has been completed by** General Electric Company

**in accordance with the contract agreement dated** December 8, 1982.

**NOW, THEREFORE, BE IT RESOLVED that the** furnishing and installation of nine mobile two-way radios for Intracity Transit **be accepted from said contractor,** General Electric Company;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $14,600.88 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** September, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-603

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** SERVICE ROAD, MODESTO CITY-COUNTY AIRPORT, ADAP NO. 6-05-0153-09

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** a service road at the Modesto City-County Airport **has been completed by** Stanfield and Moody

**in accordance with the contract agreement dated** June 21, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** a service road at the Modesto City-County Airport **be accepted from said contractor,** Stanfield and Moody;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $38,041.94 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** September, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-604

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** SLURRY SEAL AND STRIPE COMMERCIAL RUNWAY, OVERLAY AND STRIPE UTILITY RUNWAY, FAA ADAP NO. 3-06-0153-01

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** slurry seal and stripe commercial runway, overlay and stripe utility runway, **has been completed by** Granite Construction

**in accordance with the contract agreement dated** April 26, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** slurry seal and stripe commercial runway, overlay and stripe utility runway **be accepted from said contractor,** Granite Construction;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $205,791.81 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** September, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-605

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PERSONAL PROPERTY.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell those certain vehicles of the City of Modesto as shown on that certain document entitled "Surplus Property", marked Exhibit A, and on file in the office of the City Clerk. Said vehicles have been found to be surplus and of no use to the City.

SECTION 2. Six of the foregoing vehicles, more particularly described on Exhibit A as Vehicle Nos. 18025, 18026, 18128, 18029, 18032 and 18034, shall be sold at the public auction in the City of Modesto to be held on September 24, 1983, as authorized by Resolution No. 83-542, adopted on August 16, 1983, a notice thereof having been published on August 20, 1983, in the Modesto Bee, the official newspaper of the City of Modesto. Said notice set forth the time and place of the sale, and that a list of the items of property to be offered for sale could be inspected at the office of the City Clerk.

SECTION 3. The remaining fourteen of the foregoing vehicles, more particularly described on Exhibit A, shall be sold by sealed written bid by the City Manager or by such persons as he may select for this purpose.

SECTION 4. All of the vehicles which do not sell as herein provided for shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1983, by Councilmember Bright, who moved its adoption which motion being duly seconded by Councilmember Lang, was upon roll call carried and

the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

EXHIBIT A

# SURPLUS PROPERTY

| Vehicle No. | Year | Make | Model |
|---|---|---|---|
| 18109 | 1981 | Dodge | Diplomat |
| 18114 | 1981 | Dodge | Diplomat |
| 18119 | 1981 | Dodge | Diplomat |
| 18122 | 1981 | Dodge | Diplomat |
| 18124 | 1981 | Dodge | Diplomat |
| 18135 | 1981 | Dodge | Diplomat |
| 18103 | 1981 | Dodge | Diplomat |
| 18106 | 1981 | Dodge | Diplomat |
| 18111 | 1981 | Dodge | Diplomat |
| 18112 | 1981 | Dodge | Diplomat |
| 18117 | 1981 | Dodge | Diplomat |
| 18120 | 1981 | Dodge | Diplomat |
| 18123 | 1981 | Dodge | Diplomat |
| 18025 | 1980 | Dodge | Aspen |
| 18026 | 1980 | Dodge | Aspen |
| 18127 | 1981 | Dodge | Diplomat |
| 18128 | 1981 | Dodge | Diplomat |
| 18029 | 1980 | Dodge | Aspen |
| 18032 | 1980 | Dodge | Aspen |
| 18034 | 1980 | Dodge | Aspen |

MODESTO CITY COUNCIL
RESOLUTION NO. 83-606

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF 2,430 BUSHELS OF IRON SPONGE FROM CONNELLY-GPM, INC.

WHEREAS, prior to the dedication of the new Methane Gas Scrubbing and Distribution System, the filter towers will need to be filled with an iron sponge filtration substance to remove the corrosive hydrogen sulfides from the methane gas prior to entry into the distribution system; and

WHEREAS, Connelly-GPM, Inc. located in Chicago is presently the sole manufacturer and distributor of the iron sponge.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of 2,430 bushels of iron sponge is hereby waived.

BE IT FURTHER RESOLVED that purchase of 2,430 bushels of iron sponge from Connelly-GPM, Inc. not to exceed $22,000, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-607

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON AN APPLICATION BY BERTOLOTTI DISPOSAL, INC. FOR AN INDUSTRIAL GARBAGE LICENSE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** October 6, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an application by Bertolotti Disposal, Inc. for an industrial garbage license.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th. **day of** September**, 19**83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-608

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GILTON SOLID WASTE MANAGEMENT, INC. FOR THE CITY TO PROVIDE BILLING AND COLLECTION SERVICE FOR THEIR GARBAGE ACCOUNTS OF RESIDENCES RECEIVING UNMETERED WATER OR SEWER ONLY SERVICE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Gilton Solid Waste Management, Inc. for the City to provide billing and collection service for their garbage accounts of residences receiving unmetered water or sewer only service

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** September**, 19** 83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-609

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** MODESTO DISPOSAL SERVICE, INC. FOR THE CITY TO PROVIDE BILLING AND COLLECTION SERVICE FOR THEIR GARBAGE ACCOUNTS OF RESIDENCES RECEIVING UNMETERED WATER OR SEWER ONLY SERVICE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Modesto Disposal Service, Inc. for the City to provide billing and collection service for their garbage accounts of residences receiving unmetered water or sewer only service

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** September, **19** 83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-610

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ORANGELINE SANITATION COMPANY FOR THE CITY TO PROVIDE BILLING AND COLLECTION SERVICE FOR THEIR GARBAGE ACCOUNTS OF RESIDENCES RECEIVING UNMETERED WATER OR SEWER ONLY SERVICE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Orangeline Sanitation Company for the City to provide billing and collection service for their garbage accounts of residences receiving unmetered water or sewer only service

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** September**, 19** 83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-611

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ORRICK, HERRINGTON & SUTCLIFFE TO ACT AS BOND COUNSEL FOR SEWER IMPROVEMENT DISTRICT NO. 25

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Orrick, Herrington & Sutcliffe to act as bond counsel for Sewer Improvement District No. 25

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** September**, 19** 83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-612

A RESOLUTION APPROVING THE REQUEST OF PHILLIP OVERHOLTZER, INC. FOR REFUND OF OVERPAYMENT OF BUSINESS LICENSE TAX IN THE AMOUNT OF $604.51

BE IT RESOLVED by the Council of the City of Modesto that the request of Phillip Overholtzer, Inc. for refund of overpayment of business license tax in the amount of $604.51 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1983, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-613
AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** LAMATIS INDUSTRIAL PARK SUBDIVISION CONCERNING PAYMENT OF WATER MAIN CONNECTION FEES

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the/agreement between the City of Modesto and** Lamatis Industrial Park Subdivision concerning payment of water main connection fees

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** September, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-614

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING THREE GREENS MOWERS AND VERTICUTTER ATTACHMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of three greens mowers and verticutter attachments

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 18, 1983, at 3:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-615

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CURB RAMPS, PROJECT NO. 5

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of curb ramps, Project No. 5

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 18, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-616

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CITY HALL ANNEX REROOFING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the City Hall Annex reroofing

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 11, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-617

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR THE IMPROVEMENTS IN THE ORCHARD AREA DRAINAGE BASIN

WHEREAS, Resolution No. 83-545, adopted by the Council of the City of Modesto on August 23, 1983 , approved the plans and specifications for the improvements in the Orchard Area drainage basin and authorized the calling for bids; and

WHEREAS, the bids received for the improvements in the Orchard Area drainage basin were opened at 11:00 a.m. on September 20, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of The Flintkote Company in the amount of $97,992 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Flintkote Company in the amount of $97,992 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1983 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-618

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE TO REPLACE 24-INCH FORCE MAIN EAST OF SCENIC DRIVE LIFT STATION

WHEREAS, Resolution No. 83-546, adopted by the Council of the City of Modesto on August 23, 1983 , approved the plans and specifications for the replacement of 24-inch force main east of Scenic Drive lift station and authorized the calling for bids; and

WHEREAS, the bids received for the replacement of 24-inch force main east of Scenic Drive lift station were opened at 11:05 a.m. on September 20, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Joe Martin Pipeline in the amount of $30,000 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline in the amount of $30,000 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September , 1983 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-619

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** CARPENTER/WOODLAND TRAFFIC SIGNAL AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** the Carpenter/Woodland traffic signal **has been completed by** Collins Electrical Company

**in accordance with the contract agreement dated** March 22, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** the Carpenter/Woodland traffic signal **be accepted from said contractor,** Collins Electrical Company;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $77,635 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 27th **day of** September, **19**83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Patterson

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-620

A RESOLUTION REJECTING ALL BIDS FOR THE INSTALLATION OF PLAYGROUND APPARATUS IN EAST LA LOMA PARK AND OPENED IN THE OFFICE OF THE CITY CLERK ON SEPTEMBER 6, 1983

WHEREAS, Resolution No. 83-513, adopted by the Council of the City of Modesto on August 9, 1983, approved the plans and specifications for the installation of playground apparatus in East La Loma Park, and authorized the call for bids; and

WHEREAS, the bids received for the installation of playground apparatus in East La Loma Park were opened at 3:00 p.m. on September 6, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, due to irregularities in the project specifications the Engineering and Parks and Recreation Departments recommend the bids be rejected and rebid at a later date.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the installation of playground apparatus in East La Loma Park, and opened in the Office of the City Clerk on September 6, 1983, are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1983, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-621

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF RADIO EQUIPMENT FROM MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC.

WHEREAS, the Police Department is requesting the purchase of radio equipment to replace radios that are over 14 years old; and

WHEREAS, Motorola is the only supplier who meets the specifications for the equipment needed.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of radio equipment is hereby waived.

BE IT FURTHER RESOLVED that purchase of radio equipment from Motorola Communications and Electronics, Inc. for the total price of $91,996, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1983, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-622

A RESOLUTION WAIVING FORMAL BID PROCEDURES FOR THE PURCHASE OF PUMP REPAIR SERVICES FROM DON PEDRO PRODUCTS, INC. FOR THE PURPOSE OF REPAIRING PUMP STATION NO. 20.

WHEREAS, Pump Station No. 20 is an integral part of the water supply to the southern part of the City serving various industries, and

WHEREAS, the right angle drive, which is the connecting mechanism between the water pump and the auxiliary engine, on Pump Station No. 20 has failed, thus causing the auxiliary pump on Pump Station No. 20 to be in need of repair, and

WHEREAS, the auxiliary pump is a pertinent piece of equipment which is needed in case of a power failure, and

WHEREAS, power failures do occur at regular intervals especially during the fall, and in the event of such a power failure, Pump Station No. 20 would be out of commission and the City would not be able to serve water to the southern part of the City as is necessary, and

WHEREAS, three pump suppliers in the area have provided prices to furnish and install the pump right angle drive with Don Pedro Products, Inc. providing the lowest figures in the amount of $5,193.40, and

WHEREAS, because of the urgency of this project, the Council desires to waive formal bid procedures, as provided by Section 1307 of the Modesto City Charter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that there is an urgent necessity for the preservation of life, health and property to waive the formal bid procedures required by Section 1307 of the Modesto City Charter, for the repair of the right angle drive on Pump Station No. 20. Said urgency is necessary in order to serve water to the southern part of the City in the event of a power failure.

BE IT FURTHER RESOLVED that the City Manager is authorized to contract with Don Pedro Products, Inc. to furnish and install the pump right angle drive as is necessary to repair said Pump Station No. 20, said repair services not to exceed the amount of $5,193.40.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-623

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $5,194 FROM CONTINGENCY RESERVE TO THE PUMP STATION REPAIR ACCOUNT TO COVER THE COST OF MAJOR REPAIRS TO PUMP STATION 20

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

FROM: Contingency reserve for pending projects (61-04 8911 61)

TO: Pump Station Repairs (6917.00 7112 61)

To cover the cost of major repairs to Pump Station No. 20.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 27th **day of** September, **19** 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Patterson

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-624

AMENDED

**A RESOLUTION APPROVING /AGREEMENT BETWEEN THE CITY OF MODESTO AND** GILLIG CORPORATION TO AUTHORIZE A PARTIAL PAYMENT ON NINE TRANSIT BUSES

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the/agreement between the City of Modesto and** Gillig Corporation to authorize a partial payment on nine transit buses

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 27th **day of** September**, 19** 83**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Patterson |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-625

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO CONCERNING THE ISSUANCE OF REVENUE BONDS TO FINANCE THE CONSTRUCTION OF A MULTIFAMILY RENTAL HOUSING DEVELOPMENT KNOWN AS STONEBRIDGE APARTMENTS

WHEREAS, the City Council of the City of Modesto (the "City"), after careful study and consideration, has determined that there is a shortage of safe and sanitary housing within the City, particularly for low and moderate income persons and families, and that it is in the best interest of the residents of the City and in furtherance of the health, safety and welfare of the public for the City to assist in the financing of multifamily rental housing units, and

WHEREAS, pursuant to Division 31 of the Health and Safety Code of the State of California (the "State Law"), and particularly Chapter 7 of Part 5 thereof, as amended, the City is empowered to issue and sell bonds for the purpose of making mortgage loans or otherwise providing funds to finance the development of multifamily rental housing including units for households meeting the income limits set forth in the State Law, and

WHEREAS, in addition, under and pursuant to the powers reserved to the City under Sections 3, 5 and 7 of Article XI of the Constitution of the State of California and Section 200 of a freeholders' charter adopted January 4, 1963, as amended, the City has the power to adopt an ordinance to establish a procedure for the authorization, issuance and sale of revenue bonds by the City for the purpose of providing financing for multifamily rental housing for persons and families of low or moderate income (a "City Law") and to issue bonds for such purpose pursuant to such law, and

WHEREAS, the City Council has now determined to provide financing for a multifamily rental housing development containing approximately 286 units and

known as Stonebridge Apartments (the "Development"), to be developed by Calvin E. Bright and Marjorie H. Bright or by an entity to be created by such persons, and to be located in the City of Modesto, California, and

WHEREAS, to finance the Development, the City intends to issue revenue bonds pursuant to the State Law or a City Law,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The City Council hereby determines that it is necessary and desirable to provide construction and permanent financing for the Development by the issuance, pursuant to the State Law or a City Law, of mortgage revenue bonds (the "Bonds") in an aggregate principal amount not to exceed twelve million dollars ($12,000,000). The Development is to be located on a site of approximately 22 acres on the corner of Veneman Road and Hahn Road, east of Vintage Faire Shopping Center, and the Development shall meet the requirements of the State Law or a City Law and any federal requirements for tax exemption of interest on the bonds. Subject to final approval by the City Council, the Mayor, City Manager and other officers of the City are hereby authorized and directed, for and in the name and on behalf of the City, to take all necessary actions to finance the Development, including the actions necessary for the issuance of the Bonds.

2. The Bonds shall be payable solely from revenues to be received by the City in connection with the Development and the financing therefor. Neither the faith and credit nor the taxing powers of the City shall be pledged to the payment of principal of, premium, if any, or interest on the Bonds.

3. It is intended that this resolution shall constitute "some other official action" toward the issuance of the Bonds to finance the Development within the meaning of Section 1.103-8(a)(5) of the Treasury Regulations promulgated

under Section 103 of the Internal Revenue Code 1954, as amended.

4. Orrick, Herrington & Sutcliffe, A Professional Corporation, San Francisco, California, is hereby selected and designated as bond counsel for the City in connection with the proposed issuance of the Bonds.

5. The Mayor, City Manager and other officers of the City are hereby authorized and directed, for and in the name and on behalf of the City, to take all actions and to sign all documents necessary or desirable to effectuate the purposes of this resolution.

6. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Patterson, Sutton, Mayor Mensinger

NOES: Councilmembers: Lang, Whiteside

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

RESOLUTION NO. 83-626 UNUSED

MODESTO CITY COUNCIL
RESOLUTION NO. 83-627

A RESOLUTION OF THE MODESTO CITY COUNCIL PROTESTING THE EXECUTION OF AN OPEN SPACE CONTRACT APPLICATION NO. 75-2004 (STANLEY GALAS)

WHEREAS, an Open Space Contract Application has been referred to the City of Modesto by the County of Stanislaus, and

WHEREAS, the effect of said application on the City of Modesto has been fully considered, and

WHEREAS, the City staff has recommended that the City protest the execution of said Open Space Contract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby protest the execution of an Open Space Contract on Application No. 75-2004 ( Stanley Galas ).

BE IT FURTHER RESOLVED that this protest be filed with the Stanislaus County Board of Supervisors and the Stanislaus County Local Agency Formation Commission and the Local Agency Formation Commission is hereby requested to hold a hearing and consider this protest as provided for in Section 51243.5 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember

Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form
12/28/77

MODESTO CITY COUNCIL
RESOLUTION NO. 83-628

A RESOLUTION APPROVING AN AMENDMENT TO THE STANISLAUS COUNTY SOLID WASTE MANAGEMENT PLAN.

WHEREAS, the Council of the City of Modesto approved the Stanislaus County Solid Waste Management Plan dated March 1980 by Resolution No. 80-346 adopted on April 15, 1980, and

WHEREAS, at its meeting of September 27, 1983, held in the Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council considered an amendment to the Resource Recovery Element of said Stanislaus County Solid Waste Management Plan which addresses the feasibility of implementing solid waste recovery systems in the County, and

WHEREAS, the Council desires to approve said amendment to the Stanislaus County Solid Waste Management Plan,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the "Amendment to the Stanislaus County Solid Waste Management Plan Resource Recovery Element" dated September 1983, a copy of which amendment is attached hereto as Exhibit "A" and incorporated herein by reference.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM: Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

# AMENDMENT TO THE

# STANISLAUS COUNTY SOLID WASTE MANAGEMENT PLAN

# RESOURCE RECOVERY ELEMENT

SEPTEMBER 1983

Exhibit "A"

# APPENDIX "H"

# RESOURCE RECOVERY ELEMENT

Stanislaus County is in the forefront of resource recovery activities in California. With 7.5 percent of its waste stream presently recycled in one form or another by a wide range of waste recovery methods, the county is indeed a leader in the recovery of our state's valuable waste resources.

Coupled with this existing focus on waste or materials recovery is a growing interest locally in the recovery of energy from our waste stream. Together, these activities create new dimensions and a host of problems for those involved in managing our wastes.

The purpose of this amendment, then, is twofold: (1) to develop county policies relative to evaluating proposed resource recovery projects; and (2) to facilitate the making of conformance findings for projects proposed in the county. The amendment is based on data developed in a recent county report to the State Waste Management Board. The report, "County of Stanislaus Solid Waste Resource Recovery Development 1982, Final Report", is attached, along with this amendment, as Appendix "H" to the Stanislaus County Solid Waste Management Plan and becomes an integral part of the Plan.

## RESOURCE RECOVERY FEASIBILITY - REPORT OVERVIEW

During approval actions on the revised Solid Waste Management Plan in March of 1980, the State Waste Management Board concluded that the Resource Recovery portion of Stanislaus County's Solid Waste Management Plan did not adequately discuss the feasibility of resource recovery in the county. The State Board approved the Plan Revision but directed the county to prepare a report addressing the feasibility of implementing solid waste recovery systems in Stanislaus County.

The county contracted with the Sacramento firm of Cooper & Clark Engineers to prepare the feasibility report which the firm completed in March 1982. The report is included as an appendix to the plan.

At its June 4, 1982 meeting, The State Waste Management Board accepted the report (Resolution No. 82-61) but encouraged the county to amend the county's Solid Waste Management Plan to incorporate the results of the report. As stated in the Board Resolution and letter to the Stanislaus County Board of Supervisors,

> ". . .the Board strongly urges the county to incorporate into the plan, guidelines and policies for evaluating resource recovery projects for conformance to the County Solid Waste Management Plan, and a timetable for processing proposed projects. This must be done in order for the county to make a finding that a waste-to-energy facility conforms to the County Solid Waste Management Plan. A conformance finding is also necessary to obtain financing for waste-to-energy projects."

The authors of the report recognized the difficulties in defining specific actions the county could take to encourage or approve proposed resource recovery projects. Their recommendations for policies or possible county actions are accordingly of a general nature. Key recommendations are:

1. The implementation of resource recovery in the county probably will not relieve the area from the need for another landfill to eventually replace the Geer Road site. Planning for the ash disposal capacity should begin now.
2. The proponents of the currently proposed waste-to-energy projects should be invited to provide additional descriptive information concerning their projects to allow the decision makers to be aware that a project has been proposed, and to start to evaluate it against other proposals.
3. It is apparent that competition for the municipal solid waste could occur since the multiple proposals probably will out-strip the area's

[illegible] to produce wastes. Some form of mechanism to review the proposals and integrate the better ones into the County Solid Waste Management Plan needs to be established and placed into operation.

4. After the best project(s) is selected, the local officials should provide encouragement and assistance in helping the project through the difficult maze of implementation.

## MAJOR ISSUES FACING WASTE-TO-ENERGY DEVELOPMENT IN STANISLAUS COUNTY

Several issues are germane to the development of resource recovery systems and especially waste-to-energy projects within Stanislaus County. Of particular importance are those issues which the county must consider in evaluating waste-to-energy proposals. The report identifies five such issues which deserve close county consideration:

1. Waste Flow Control

   Control over the county's waste flow is currently held by cities and the county. Garbage companies collect the refuse and either recycle or deliver it to one of two county operated landfills as city and county codes or franchise agreements direct. The City of Modesto franchise agreement, for example, states:

> "Garbage collected by the Licensee shall be disposed of at the Geer Road Sanitary Landfill. The city reserves the right to designate other sanitary landfill areas for disposal and other methods of disposal." (Ord. No. 1206-c.s., Section 2.v., August 16, 1972.)

The Stanislaus agreement similarly states:

> "Franchisee may dispose of refuse collected under the franchise at the Geer Road Sanitary Landfill, or the Fink Road Sanitary Landfill, operated by the county. The county reserves the right to designate other methods of disposal or other county owned or operated sanitary landfill areas for disposal, by the Franchisee if such methods or sites become available." (County Franchise Regulations, Section V,E. 8., April 1, 1982)

Until now, the need to direct wastes for recycling or other special uses has not existed. With the advent of waste-to-energy projects, however, which by their very nature require significant amounts of waste, the county and its cities are being faced with new demands for large portions of the waste flow.

For the most part, local governments have resisted relinquishing control over the waste flow. One concern has been the potential effect over local recycling and source separation activities. The primary concern here is the assignment of the entire waste flow, or a substantial portion, to one or more waste-to-energy projects. This could preclude the expansion of future recycling activities in the county and particularly the compatibility of increased recycling with the steady waste flow needed by energy facilities.

Another reason for local government resistance is the uncertainty cities and especially the county could face if a large volume energy facility failed due to inadequate design, technical difficulties, or financial failure. Immediate actions would be needed to locate new disposal sites and an increased burden would be placed on the collection systems serving the county.

Recent changes in state legislation (Sec. 66796.40 Gov. Code) have placed a greater burden on facility proponents in identifying waste sources. As it is now written, state law requires each proposed WTE facility to have a "guaranteed" and "defined" waste source before a permit can be issued to the facility. In guaranteeing the waste flow, proponents must show by contract or other commitments that more than sufficient quantities of waste are available to maintain the project's economic feasibility for the life of the bonded indebtedness

of the project. In addition, the law states that "those materials which are being recycled or which may reasonably be expected to be recycled shall not be included in the quantities."

2. Economic Feasibility and Project Financing

Waste-to-energy projects must be commercially feasible since public funding sources currently do not exist to finance those projects. Commercial feasibility is defined as the existence of a net disposal fee the same or less than the fees or costs for alternative methods of disposal, including landfilling and recycling. Financing is contingent upon a dependable flow of wastes with consistent energy values acceptable to the plant operators. Projects must also be found in conformance with County Solid Waste Plans.

3. Ash Disposal

Ash residuals from waste-to-energy projects represent a significant disposal cost for these facilities and require careful scrutiny by project proponents and the county. The components of the ash--mineral salts and heavy metals--create potential environmental hazards which increase handling and disposal costs. Availability of long-term ash disposal capability and the possibility of more stringent legislation and regulation also cause concern.

4. Impacts on Landfill Capacity

Significant reductions in landfill utilization can be achieved through waste-to-energy processes. It is estimated that a 50-90 percent reduction is possible depending on the size of the energy facility. Further reductions in needed landfill space can be made by finding alternative uses for the fly and bottom ash resulting from the combustion process.

5. *Land Use Compatibility*

*Site selection for a waste-to-energy facility must meet several community and technical needs to be successful. Although the community in general may benefit from this type of facility, nearby* residents may voice their opposition to such a facility located near their homes. To be politically viable, compatibility with neighboring land uses is a must. Besides the aesthetic, odor, noise, and traffic concerns of neighboring residents and businesses, good plant location also dictates that sufficient area is available, that closeness to markets and waste sources exists, and that other technical and environmental concerns be mitigated through good facility design.

Recent legislation now makes it necessary to designate solid waste facilities, including waste-to-energy projects, in city and county general plans where they are located. Facilities must also be compatible with surrounding land uses.

## COUNTY RESOURCE RECOVERY POLICY

The county shall encourage economical and technically feasible methods of resource recovery provided proposed methods are compatible with this plan and local land use planning. County staff shall provide assistance in waste flow issues, permit processing, ash disposal and other project implementation processes to facilitate project development.

The primary consideration in approving resource recovery facilities shall be the facility's commercial feasibility coupled with the extent to which it incorporates existing or expanded material recovery systems into the facility's design and operation. The focus shall be on facilities designed to maximize the recovery of materials from source separation systems.

not limited to, all of the following:

- benefits derived from economies of scale, keeping in mind existing and expanded materials recovery efforts.
- suitability for the solid waste disposal system in the county.
- relationship to waste collection systems.
- relationship to waste recycling activities.
- economic feasibility as shown by preliminary estimates of capital costs, annual costs, and revenues as compared to future costs of alternative methods of disposal.
- anticipated earliest start-up date of the facility.
- energy plant residual and ash disposal.
- estimated reduction of landfill capacity.
- development of detailed project information, procurement plans, and economic data.
- results of sensitivity analysis relating to the inflation rate, changes in recovered materials' prices, and uncertainty in estimated facility costs.

RECOMMENDATIONS FOR RESOURCE RECOVERY

1. Existing resource recovery facilities and systems in the county shall be authorized and encouraged to continue operation.
2. The county and its cities shall continue to actively work with local recyclers and resource recovery proponents to assist in the development and successful operation of recycling and energy recovery activities in the county.
3. The county and its cities shall take one or more of the following actions where it is deemed necessary to encourage and/or assist proponents of waste-to-energy systems in the county:
   a. Assist proponents in finding solutions to ash disposal problems regardless of whether the state classifies the facility's ash as a Group I or Group II waste.

- *Classification as Group II: Develop low cost local ash handling procedures at county landfills.*

- Classification as Group I: Explore the potential use of Fink Road Landfill for the disposal of Group I ash wastes.

b. Encourage waste-to-energy proponents to provide the county and cities with complete information concerning their projects.

c. Provide direct assistance to waste-to-energy proponents in facilitating local review and approval processes including solid waste plan conformance findings, completion of permitting requirements and dealing with local flow control issues.

PROJECT REVIEW TIMETABLE

Development of energy recovery facilities from concept to commercial operation requires extensive economic review and rigorous evaluation of proposed waste handling methods before financing can be arranged. Approximately five to seven years are consumed in this project development time.

Projects typically progress from concept to initial study to determine project feasibility and design, and then move to more site-specific issues as the project nears final testing and operation. The stages of this progression are ideally shown in the following development schedule from a project currently in the planning states. The schedule depicts an approximate three year planning period which may not include pre-project feasibility study actions by the proponents or difficult problems encountered in financing the project or in construction and testing prior to full operation.

| | |
|---|---|
| Project Feasibility | 4/82 - 8/82 |
| Plant Design | 8/82 - 5/83 |
| Plant Construction | 6/83 - 10/84 |
| Plant Testing | 10/84 - 2/85 |
| Commercial Operation | Spring 1985 |

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-629

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** LARRY A. AND PATRICIA L. ASKEW AND DAVID AND SANDRA MESENHIMER FOR THE LEASE OF A PORTION OF HANGAR NO. 1 FOR USE AS A FLIGHT SCHOOL AND AIR TAXI SERVICE AT THE MODESTO CITY-COUNTY AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Larry A. and Patricia L. Askew and David and Sandra Mesenhimer for the lease of a portion of Hangar No. 1 for use as a flight school and air taxi service at the Modesto City-County Airport **be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 27th **day of** September, **19**83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Patterson |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-630

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** LARRY A. AND PATRICIA L. ASKEW AND DAVID AND SANDRA MESENHIMER ALLOWING THEM TO OPERATE AS A FIXED BASE OPERATOR AT THE MODESTO CITY-COUNTY AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Larry A. and Patricia L. Askew and David and Sandra Mesenhimer allowing them to operate as a fixed base operator at the Modesto City-County Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 27th **day of** September, **19** 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Patterson |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-631

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE SCENIC/CITY LIMITS TO SUNNYSIDE PROJECT (SPERRY)

(Name of Project and Property Owners Name)

WHEREAS, on September 13, 19 83, the Council of the City of Modesto by Resolution No. 83-592 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on October 6, 19 83, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of the widening of a portion of Scenic Drive located between the Modesto City Limits and Sunnyside Avenue in the City of Modesto, as part of the Scenic/City Limits to Sunnyside Project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 37350.5, 37351, 37353 and 40404 of the Government Code, Sections 1240.110(a) and 1240.510 of the Code of Civil Procedure, and Article I, §19 of the Constitution of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

5. The real property which is hereinafter described consists of a portion of Assessor's Parcel No. 34-5-6 consisting of 0.05± acres and improvements thereon, a parallelogram approximately 15' x 140', located approximately 40 feet north of existing centerline of Scenic Drive and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

A portion of the southeast quarter of the northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Meridian, described as follows:

Commencing at the six-inch concrete monument as shown on the map of ST. STANISLAUS CEMETERY filed in Volume 14 of Maps, Page 13, Stanislaus County Records, marking a point on the former northerly line of Scenic Drive 35.64 feet southwesterly from the most easterly corner thereof; thence North 67°54'35" East, 35.64 feet to the most easterly corner of said map of ST. STANISLAUS CEMETERY on the present northerly line of Scenic Drive; thence continue North 67°54'35" East, 192.68 feet on said northerly line; thence North 69°02'25" East, 204.02 feet on said northerly line; thence North 67°36'09" East, 145.88 feet on said northerly line to the southwesterly corner of the property conveyed to John S. Sperry, Jr., et ux, by deed recorded in Volume 2608 of Official Records at Page 475, Stanislaus County Records; thence North 1°30'51" West on the westerly line of said Sperry property 13.70 feet to the POINT OF BEGINNING of this description; thence continue North 1°30'51" West on said westerly line 15.02 feet; thence North 68°20'13" East, 54.00 feet northerly of and parallel to the present centerline of said Scenic Drive 139.36 feet to the easterly line of said Sperry property; thence South 1°30'51" East on said easterly line 14.70 feet to the present northerly line of Scenic Drive; thence South 68°12'53" West 139.47 feet on said northerly line to the point of beginning.

Containing 0.05 acres, more or less.

The foregoing resolution was introduced at a/ adjourned regular meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Lang, who moved it adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Engineering Services

MODESTO CITY COUNCIL
RESOLUTION NO. 83-632

A RESOLUTION OVERRULING THE RECOMMENDATION OF THE PLANNING COMMISSION TO REZONE P-D(275), AND GRANTING A ONE-YEAR EXTENSION TO THE DEVELOPMENT SCHEDULE, PROPERTY LOCATED ON THE WEST SIDE OF COFFEE ROAD, SOUTH OF RUMBLE ROAD.

WHEREAS, the City Council, by Ordinance No. 1973-C.S., which was introduced on August 12, 1980, and which became effective on September 18, 1980, amended Section Map 16-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(275), property located on the west side of Coffee Road, south of Rumble Road, and

WHEREAS, the City Council, by Resolution No. 80-813, approved the development schedule for Planned Development Zone, P-D(275), with a development schedule which specified that construction was to be in one phase, construction to begin on or before August 5, 1982, and completion to be not later than August 5, 1983, and

WHEREAS, on August 16, 1982, the Planning Commission by Resolution No. 82-123, granted a time extension to the development schedule calling for construction to begin on or before August 5, 1983, and to be completed by not later than August 5, 1984, and

WHEREAS, a letter has been received from a representative of the owner requesting a further one-year extension to the development schedule, and

WHEREAS, the request was reviewed by the Planning Commission at its regular meetings of August 15, 1983, and September 6, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which meetings evidence both oral and documentary was received and considered, and

WHEREAS, the Planning Commission by Resolution No. 83-141, adopted

on September 6, 1983, found and determined that good cause had not been shown for the requested time extension, and denied said request, and

WHEREAS, by letter dated September 7, 1983, an appeal was filed with the City Council to the decision of the Planning Commission denying a time extension to the development schedule of P-D(275), and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on October 6, 1983, at 4:00 p.m., and

WHEREAS, after hearing evidence, both oral and documentary, the Council found and determined that the requested one-year extension to the development schedule of Planned Development Zone, P-D(275) should be granted for the following reasons, and the decision of the Planning Commission overruled:

1. The existing plans are an addition to a very attractive adjacent office complex to the north. Additional offices under these plans will be very compatible with the area and will be an asset to the community.

2. It appears that a sale may be pending whereby construction work could commence on this project within the one year time extension.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a one-year time extension to the development schedule of Planned Development Zone, P-D(275) is hereby granted to read as follows:

> The entire construction program be accomplished in one phase, construction to begin on or before August 5, 1984, and completion to be not later than August 5, 1985.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Muratore, who moved its adoption, which motion being

duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-633

A RESOLUTION DENYING AN APPLICATION BY BERTOLOTTI DISPOSAL INC. FOR AN INDUSTRIAL GARBAGE LICENSE.

WHEREAS, Bertolotti Disposal, Inc., a California corporation, filed an application with the Council of the City of Modesto for an Industrial Garbage License, and

WHEREAS, by Resolution No. 83-607, adopted on September 20, 1983, the Council set a hearing to be held on October 6, 1983, at 4:00 p.m., in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, as the time and place for consideration of said application, and

WHEREAS, at said hearing, the Council found and determined that the application for an Industrial Garbage License should be denied for the reasons set forth below:

1. The present industrial waste licensees have sufficient resources available to service present and future customers.

2. There has been no demonstrated need for an additional industrial waste hauler at this time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application filed by Bertolotti Disposal, Inc., a California corporation, for an Industrial Garbage License is denied for the reasons set forth above.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by

Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside

NOES: Councilmembers: Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-634

A RESOLUTION ACCEPTING THE BID OF HIS TREE SERVICE FOR MISTLETOE REMOVAL SERVICES IN CERTAIN AREAS OF TOWN

WHEREAS, Resolution No.83-516, adopted by the Council of the City of Modesto on August 9, 1983, approved the plans and specifications for the furnishing of mistletoe removal services and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of mistletoe removal services were opened at 2:00 p.m. on September 6, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of HIS Tree Service in the amount of $76,625 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of HIS Tree Service in the amount of $76,625 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a adjourned regular meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-635

A RESOLUTION ACCEPTING THE BID OF WEAVER'S TREE SERVICE FOR MISTLETOE REMOVAL SERVICES IN CERTAIN AREAS OF TOWN

WHEREAS, Resolution No.83-516, adopted by the Council of the City of Modesto on August 9, 1983, approved the plans and specifications for the furnishing of mistletoe removal services and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of mistletoe removal services were opened at 2:00 p.m. on September 6, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Weaver's Tree Service in the amount of $93,810 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Weaver's Tree Service in the amount of $93,810 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a ~~regular~~ adjourned meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Hensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-636

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $185,000 FROM CONTINGENCY RESERVE TO COVER COST OF MISTLETOE REMOVAL SERVICES

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Contingency Reserve (61.02 8911 01) | $185,000 |
| TO: | Professional and Contractual Services (200.00 3299 01) | $185,000 |

Transfer needed to cover cost of mistletoe removal services in various areas of town.

**The foregoing resolution was introduced at a** adjourned **/regular meeting of the Council of the City of Modesto held on the** 6th **day of** October**, 19**83**, by Councilmember** Whiteside**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-637

A RESOLUTION ACCEPTING THE CONSTRUCTION OF MUNCY PARK POOL AS COMPLETE

WHEREAS, a report has been filed by the Director of Engineering that the construction of Muncy Park pool

has been completed by Red Whale Pools

in accordance with the contract agreement dated May 10, 1983.

NOW, THEREFORE, BE IT RESOLVED that the construction of Muncy Park pool

be accepted from said contractor, Red Whale Pools;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $49,300 as provided in the contract, be authorized.

The foregoing resolution was introduced at a/~~regular~~ adjourned meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-638

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** WESTAIR COMMUTER AIRLINES, INC. FOR OPERATING AN AIRLINE AT THE MODESTO CITY-COUNTY AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** WestAir Commuter Airlines, Inc. for operating an airline at the Modesto City-County Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a/**~~**regular**~~ adjourned **meeting of the Council of the City of Modesto held on the** 6th **day of** October, **19**83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-639

A RESOLUTION AUTHORIZING RIGHT OF WAY CERTIFICATE FOR PROPOSED TULLY/LEONARD TO CITY LIMITS PROJECT

WHEREAS, the City of Modesto has acquired right of way needed for the proposed Tully/Leonard to City limits project; and

WHEREAS, it is necessary for the City of Modesto to make a certification to the State of California that the right of way has been acquired for the proposed Tully/Leonard to City limits project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager and City Clerk are hereby authorized to sign a Right of Way Certificate setting forth the status of the right of way acquisition for the proposed Tully/Leonard to City limits project.

The foregoing resolution was introduced at a/~~regular~~ adjourned meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-640

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** M.E. GROVER TO HARVEST OLIVES FROM CITY-OWNED TREES LOCATED ON MELLIS PARK, FRANKLIN AVENUE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** M.E. Grover to harvest olives from City-owned trees located on Mellis Park, Franklin Avenue

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a/**~~regular~~ adjourned **meeting of the Council of the City of Modesto held on the** 6th **day of** October, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-641

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** E & J GALLO WINERY FOR THE LEASE OF HANGAR NO. 6 AT THE MODESTO CITY-COUNTY AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** E & J Gallo Winery for the lease of Hangar No. 6 at the Modesto City-County Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a/regular** adjourned **meeting of the Council of the City of Modesto held on the** 6th **day of** October, **19**83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-642

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS ABOLISHED. The Position Classification Plan of the City of Modesto is hereby amended to abolish the following classifications:

Programmer

Programmer Analyst

SECTION 2. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is hereby amended to create the following new classifications:

Programmer Analyst - Finance

Programmer Analyst I

Programmer Analyst II

The specifications for the classifications created, as shown on the attached Exhibits "A" and "B", which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

SECTION 3. CLASSIFICATIONS AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to amend the specifications for the following classifications, as shown on Exhibits "C" and "D", which are hereby made a part of this resolution by reference and are hereby approved and made a part of the Position Classification Plan of the City of Modesto:

Data Processing Manager

Word Processing Supervisor

The foregoing resolution was introduced at a/~~regular~~ adjourned meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

# PROGRAMMER ANALYST - FINANCE

## DEFINITION

Under direction, to perform systems analysis and to program applications for an electronic digital computer; to analyze and develop programming specifications and processing systems; to assign work and provide training; and to do related work as required.

## DISTINGUISHING CHARACTERISTICS

The position allocated to this class is distinquished by performing all of the duties of a Programmer Analyst II. In addition, the incumbent may act as leadworker by assigning work and performing training of new employees.

## EXAMPLES OF DUTIES

Analyzes existing processing of data to develop alternative methods which utilize an electronic digital computer; develops overall systems and logic diagrams for a variety of applications; completes definitions of problems and prepares them for programming; prepares logic block diagrams; writes programs in symbolic language and/or machine language codes; checks coded programs prior to assembly; prepares test data for use in testing programs on a computer; corrects and revises program after testing, insuring proper form of input and output data; writes operating instructions for programs; advises potential users on the availability and uses of preprogrammed routines; prepares flow charts showing general program steps for complex applications; modifies existing programs; prepares program documentation; coordinates all phases of assigned projects; may operate an electronic digital computer during program test runs and in a back-up capacity for existing applications.

## SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Knowledge of:

Principles and methods of systems and procedures analysis;
Principles and techniques of program planning;
Control requirements for EDP systems;

*Knowledge of (continued):*

COBOL and BASIC programming languages;
Operations and capabilities of electronic data processing equipment;
Data Base Management systems;
Data telecommunications

and

Ability to:

Design and develop systems for processing data with digital computers;
Develop, write and debug computer programs;
Prepare manuals of data procedures and properly document prepared programs;
Confer with current and potential users in the development of digital computer applications;
Work with statistical methods and procedures;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Eighteen (18) months as Programmer Analyst I for the City of Modesto

or

Two years of full-time experience in programming data processing applications for electronic digital computers, which includes at least one (1) year in systems analysis and design work. Some supervisory experience over other programmer analysts is a desirable qualification which will be given preference.

# PROGRAMMER ANALYST I
# PROGRAMMER ANALYST II

## DEFINITION:

This series specification describes two classes responsible to program applications for an electronic digital computer; to analyze and develop programming specifications and processing systems; and to do related work as required.

## DISTINGUISHING CHARACTERISTICS:

Programmer Analyst I - This is the first level of the Programmer Analyst series, and it is distinguished by a limited variety of tasks and the less difficult programming applications for an electronic digital computer. When the employee's employment history shows eighteen (18) months of satisfactory performance as a Programmer Analyst I, he/she will be promoted to Programmer Analyst II.

Programmer Analyst II - This is the full journey level in the series. Employees perform assignmens that require occasional choices in the application and interpretation of standard methods and procedures, where a considerable knowledge of the subject matter is required.

## EXAMPLES OF DUTIES:

Analyzes existing processing of data to develop alternative methods which utilize an electronic digital computer; develops overall systems and logic diagrams for a variety of applications; completes definitions of problems and prepares them for programming; prepares logic block diagrams; writes programs in symbolic language and/or machine language codes; checks coded programs prior to assembly; prepares test data for use in testing programs on a computer; corrects and revises program after testing, insuring proper form of input and output data; writes operating instructions for programs; advises potential users on the availability and uses of preprogrammed routines; prepares flow charts showing general program steps for complex applications; modifies existing programs; prepares program documentation; coordinates all phases of assigned projects; may operate an electronic digital computer during program test runs and in a back-up capacity for existing applications.

## SPECIAL REQUIREMENTS:

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

*EMPLOYMENT STANDARDS:*

Knowledge of:

For Programmer Analyst I
Principles, practices and procedures of computer programmming;
Techniques of programming, machine scheduling, card and form design and control requirements;
COBOL programming language;
Operations and capabilities of electronic data processing equipment.

For Programmer Analyst II
All of the above, plus
BASIC and RPG are desirable, but not mandatory, as additional programming languages;
Data base management systems is a desirable additional knowledge;
Data telecommunications is a desirable additional knowledge;
Principles and methods of systems and procedures analysis.

and

Ability to:

For Programmer Analyst I
Prepare work flow charts and code steps into machine language;
Write operating instructions and procedures for EDP machine applications;
Apply the principles of data processing record keeping to a variety of problems;
Gather and analyze data, and develop logical conclusions;
Prepare clear, concise reports;
Establish and maintain cooperative relationships with those contacted during the course of work.

For Programmer Analyst II
All of the above, plus
Perform computer programming and EDP systems work of average difficulty;
Confer with current and potential users in he development of electronic digital computer applications;
Think logically and develop logical conclusions;
Follow detailed instructions;
Apply business administrative and management theory in the analysis of systems;
Analyze procedures and data;
Prepare system and data flow charts and code steps into machine language;
Write operating instructions and procedures for data processing application.

and

Experience:

For Programmer Analyst I
One (1) year of full-time experience in programming data processing applications for digital computers (As a substitute, three (3) years of experience in the operation of an electronic digital computer system and completion of 15 or more semester units of college level computer science and programming courses).

For Programmer Analyst II
Eighteen (18) months as Programmer Analyst I for the City of Modesto

or

Two years of experience in the programming data processing applications for electronic digital computers, which includes at least one (1) year of experience in systems analysis and design work.

# DATA PROCESSING MANAGER

## DEFINITION

Under general direction is responsible for administratively and technically supervising all phases of work performed by the Data Processing unit; reviewing and approving the application of new systems to the computer; performing systems analysis and cost benefit studies; and performing related work as required.

## DISTINGUISHING CHARACTERISTICS

This is a management class which reports to the Revenue Division Manager. The incumbent is responsible for providing maximum efficiency and utilization of data processing systems and services, and assists in developing and coordinating EDP applications.

## EXAMPLES OF DUTIES

Plans, organizes, directs, supervises, and participates in the programming, systems analysis, and operational activities of the Data Processing unit using considerable latitude, independence of judgment and initiative in coordinating activities to provide proper prescribed standards of data processing and meeting scheduled deadlines; consults and works with department heads or their designated representatives; recommends and implements operational procedures designed to use maximum utilization and productivity capabilities of computer equipment; evaluates and revises existing programs and procedures for maximum efficiency; checks work schedules and assignments; compiles and maintains records of cost analysis, operation of work performed, and machine operation; develops and implements policies of procedures and operating standards for the efficient operation and performance of work in the Data Processing unit; coordinates major data processing programs or activities involving other divisions and departments of the City; reviews requests for additional data processing services and identifies impacts on current and planned resources; selects, trains, and evaluates assigned personnel; prepares budget estimates and controls expenditures of EDP budget; prepares staff reports; maintains liaison with manufacturers and other computer users to keep abreast of the latest developments and technical advancements in the field; insures the proper maintenance and repair of data processing equipment; insures adequate security of the EDP system; as necessary, performs systems analysis and programming and writes procedures governing the preparation of data to be processed.

## SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

Knowledge of:

Principles and techniques of program planning, machine scheduling, budgeting, and related control requirements;
Operation of computer systems and related equipment;
Production capacities and general capabilities of data processing equipment;
Systems and procedures analysis and development;
COBOL and BASIC programming languages;
Data Base Management systems;
Data telecommunications;
The application of computer systems to the functions of a City;
Principles of supervision and training.

and

Ability to:

Analyze job requirements, supervise, and coordinate the use of computer equipment to obtain desired results;
Confer with City administrators concerning uses of data processing equipment to insure the most practical and economical use of equipment;
Advise on new uses and adaptions of City data processing equipment;
Supervise and coordinate the development of new computer applications;
Perform systems analysis and programming work;
Train and supervise subordinates;
Establish a budget and control expenditures;
Prepare oral and written reports;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Three years of experience in systems analysis and design, computer operations and programming, with a minimum of one year in a supervisory capacity.

# WORD PROCESSING SUPERVISOR

## DEFINITION

Under direction, to supervise a central word processing facility and provide clerical assistance to City departments; to provide technical assistance to other departments utilizing Wang Office Information Systems (OIS) equipment; and to do related work as required.

## EXAMPLES OF DUTIES

Supervises, organizes, and coordinates the work of employees engaged in performing typing and clerical work for City departments; maintains security of confidential information throughout the City; trouble-shoots, maintains and makes minor repairs to WANG OIS equipment; tests and evaluates equipment prior to purchase; serves on Technical Committee and makes recommendations for location of new equipment; assigns and reviews typing of letters, reports, statements, forms, statistical material, and transcripts; maintains the document security system; may personally perform required typing and transcribing work; prepares budget and controls expenditures for central word processing facility; provides training to all employees required to use WANG OIS equipment; prepares oral and written performance evaluations; interviews and recommends new appointments; completes and maintains records of unit operations; schedules temporary assistance to line departments.

## EMPLOYMENT STANDARDS

Knowledge of:

City of Modesto Word Processing Center procedures and practices;
Policies, procedures, practices, and terminology of other City departments;
City of Modesto Personnel Rules and Administrative Orders;
Wang OIS equipment;
A. B. Dick Magna II equipment;
Glossary programming;
Wang OIS system software installation;
Trouble-shooting Wang OIS system;
Office methods, practices, and procedures;
Correct English usage, spelling, grammar, and punctuation;
Basic methods used in financial and statistical record keeping;
Principles of supervision and training.

and

*Ability to:*

Plan, organize, supervise, and schedule the work of staff assigned to central word processing facility;
Coordinate work of the the Word Processing Center with the needs of many City departments;
Provide training to personnel throughout the City
Set standards and evaluate performance;
Assure the proper meeting of work deadlines;
Prepare reports;
Trouble-shoot, maintain and make minor repairs to Wang OIS equipment;
Test, evaluate, and make recommendations for changes of the word processing equipment;
Type at a speed of 60 words per minute from a clear copy;
Transcribe at 30 net words per minute;
Understand and carry out oral and written instructions;
Work with and control sensitive, confidential information;
Assign passwords and devise security required for all documents;
Establish and maintain cooperative relationships with those contacted during the course of work;

and

Experience:

Training and experience that meets the knowledges and abilities required above. This can be fulfilled by a minimum of four (4) years of experience in typing and general clerical work, including three (3) years' experience on automated word processing equipment.

or

One (1) year as Senior Word Processing Technician on Wang OIS Equipment with the City of Modesto.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-643

A RESOLUTION AMENDING EXHIBIT "G" OF RESOLUTION NO. 83-426 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 83-426. Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1983-84", attached to Resolution No. 83-426, is hereby amended as shown on the amended Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1983-84", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "G" adds the classifications of Programmer Analyst - Finance, Range 426.0; Programmer Analyst I, Range 123.0; and Programmer Analyst II, Range 126.0; and deletes the classifications of Programmer, Range 123.0, and Programmer Analyst, Range 426.0.

The foregoing resolution was introduced at a/regular meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1983-84
(Effective 6-28-83, Amended 10-6-83)

| Range No. | Title of Classification |
|---|---|
| 114.5 | Account Clerk |
| 122.0 | Accountant I |
| 426.0 | Accountant II |
| 119.5 | Accounting Technician |
| 123.0 | Accounts Examiner |
| 426.0 | Administrative Analyst |
| 422.0 | Administrative Assistant |
| 429.0 | Airport Manager |
| 424.5 | Airport Maintenance Supervisor |
| 116.5 | Animal Control Officer I |
| 118.5 | Animal Control Officer II |
| 426.5 | Arborist |
| 633.0 | Assistant Chief of Police |
| 432.0 | Assistant City Attorney I |
| 435.0 | Assistant City Attorney II |
| 421.5 | Assistant City Clerk |
| 429.0 | Assistant Civil Engineer |
| 433.0 | Assistant Director of Parks & Recreation |
| 122.5 | Assistant Electrician |
| 426.0 | Assistant Planner |
| 428.0 | Assistant Property Agent |
| 427.0 | Assistant Risk Manager |
| 426.0 | Assistant Shop Supervisor |
| 432.0 | Associate Civil Engineer |
| 429.0 | Associate Planner |
| 426.0 | Budget Accountant |
| 122.0 | Building Inspector I |
| 125.0 | Building Inspector II |
| 426.5 | Building Maintenance Supervisor |
| 120.5 | Building Maintenance Worker |
| 434.0 | Chief Building Official |
| 429.0 | Chief Electrician |
| N/A | Chief of Police |
| 426.5 | Chief of Survey Party |
| N/A | City Attorney |
| N/A | City Clerk and Auditor |
| N/A | City Manager |
| 117.5 | Civil Engineering Technician I |
| 120.5 | Civil Engineering Technician II |
| 123.5 | Civil Engineering Technician III |
| 126.5 | Civil Engineering Technician IV |
| 113.5 | Clerk Typist |
| 713.6 | Clerk Typist (Y Rate) |
| 413.5 | Clerk Typist (Confidential) |
| 124.0 | Coach Mechanic |
| 122.0 | Code Enforcement Specialist |
| 422.0 | Collections Supervisor |
| 120.5 | Community Service Officer |
| 116.5 | Computer Operator |
| 125.0 | Construction Inspector |
| 427.0 | Cost Analyst |
| 123.0 | Crime Analyst |
| 114.5 | Data Entry Operator |
| 429.0 | Data Processing Manager |
| 427.0 | Deputy City Attorney I |
| 429.0 | Deputy City Attorney II |
| N/A | Deputy City Manager |
| 312.0 | Detective |
| N/A | Director of Engineering Services |
| N/A | Director of Finance |
| N/A | Director of Management Services |
| N/A | Director of Parking and Traffic |
| N/A | Director of Parks and Recreation |
| N/A | Director of Planning and Community Development |
| N/A | Director of Utility Services |
| 117.5 | Drafting Technician |

Exhibit "G"

| Range No. | Title of Classification |
|---|---|
| 426.5 | Electrical Supervisor |
| 118.5 | Electrical Technician I |
| 120.5 | Electrical Technician II |
| 124.5 | Electrician |
| 127.0 | Engineering Computer Programmer |
| 122.5 | Equipment Crew Leader |
| 122.0 | Equipment Mechanic |
| 120.5 | Equipment Operator |
| 119.0 | Equipment Service Worker |
| 118.5 | Evidence and Property Specialist |
| 419.5 | Executive Secretary |
| 430.0 | Finance Division Manager |
| 529.0 | Fire Battalion Chief |
| N/A | Fire Chief |
| 211.0 | Fire Engineer |
| 123.0 | Fire Equipment Mechanic |
| 210.0 | Fire Fighter |
| 208.0 | Fire Fighter Trainee |
| 213.0 | Fire Lieutenant |
| 120.5 | Fire Prevention Technician |
| 426.0 | Historical Buildings Supervisor |
| 120.5 | Housing Conservationist |
| 122.0 | Housing Financial Specialist |
| 432.0 | Housing Program Officer |
| 122.0 | Housing Rehabilitation Specialist I |
| 125.0 | Housing Rehabilitation Specialist II |
| 122.0 | Industrial Waste Inspector I |
| 125.0 | Industrial Waste Inspector II |
| 116.5 | Janitor |
| 122.5 | Janitor Supervisor |
| 126.0 | Junior Civil Engineer |
| 122.5 | Laboratory Technician |
| 113.5 | Laborer (Unclassified) |
| 426.0 | Landscape Designer |
| 126.0 | Lead Coach Mechanic |
| 124.0 | Lead Equipment Mechanic |
| 417.5 | Legal Secretary |
| 120.5 | Maintenance Mechanic |
| 120.5 | Maintenance Mechanic - Pumps |
| 116.5 | Maintenance Worker I |
| 118.5 | Maintenance Worker II |
| 113.5 | Maintenance Worker Trainee |
| 429.0 | Management Assistant |
| 120.5 | Meter Reader Repair Worker |
| 112.5 | Microfilm & Graphics Technician |
| 120.5 | Motor Sweeper Operator |
| 424.0 | Museum Supervisor |
| 122.5 | Nursery Propagator |
| 109.5 | Office Aide |
| 111.5 | Office Clerk |
| 411.5 | Office Clerk (Confidential) |
| 122.5 | Office Services Supervisor |
| 122.5 | Parking and Traffic Crew Leader |
| 429.0 | Parking and Traffic Superintendent |
| 120.5 | Parking Meter Worker |
| 120.5 | Parks Crew Leader |
| 720.5 | Parks Crew Leader (Y Rate) |
| 424.5 | Parks Maintenance Supervisor I |
| 426.5 | Parks Maintenance Supervisor II |
| 429.0 | Parks Superintendent |
| 432.0 | Personnel Manager |
| 421.5 | Personnel Technician |
| 126.5 | Plan Review Engineer |
| 426.5 | Plan Review Engineer (MGT Benefits) |
| 117.5 | Planning Technician I |
| 120.5 | Planning Technician II |
| 123.5 | Planning Technician III |
| 122.5 | Plant Mechanic |
| 424.5 | Plant Mechanical Maintenance Supervisor |
| 632.0 | Police Captain |
| 113.5 | Police Clerk |

| Range No. | Title of Classification |
|---|---|
| 630.0 | Police Lieutenant |
| 308.0 | Police Officer (Trainee Step) |
| 310.0 | Police Officer |
| 425.0 | Police Records Supervisor |
| 628.0 | Police Sergeant |
| 115.5 | Printing Services Operator |
| 113.5 | Printing Services Trainee |
| 123.0 | Programmer Analyst I |
| 126.0 | Programmer Analyst II |
| 426.0 | Programmer Analyst (Finance) |
| 430.0 | Property Agent |
| 116.5 | Property Control Aide |
| 124.0 | Public Services Inspector |
| 427.0 | Public Services Officer |
| 120.5 | Public Works Line Worker |
| 424.5 | Public Works Supervisor I |
| 426.5 | Public Works Supervisor II |
| 122.0 | Purchasing Assistant I |
| 124.0 | Purchasing Assistant II |
| 430.0 | Purchasing Officer |
| 112.5 | Receptionist |
| 712.6 | Receptionist (Y Rate) |
| 429.0 | Recreation Superintendent |
| 426.0 | Recreation Supervisor |
| 430.0 | Risk Manager |
| 417.5 | Risk Management Technician |
| 117.5 | Secretary |
| 417.5 | Secretary (Confidential) |
| 421.5 | Secretary to the City Attorney |
| 422.5 | Secretary to the City Manager |
| 116.5 | Senior Account Clerk |
| 428.0 | Senior Accountant |
| 126.5 | Senior Building Inspector |
| 119.5 | Senior Computer Operator |
| 419.5 | Senior Legal Secretary |
| 115.5 | Senior Microfilm & Graphics Technician |
| 416.5 | Senior Personnel Clerk |
| 423.5 | Senior Personnel Technician |
| 432.0 | Senior Planner |
| 115.5 | Senior Police Clerk |
| 118.5 | Senior Printing Services Operator |
| 120.5 | Senior Storeskeeper |
| 122.5 | Senior Wastewater Treatment Plant Operator |
| 416.5 | Senior Word Processing Technician |
| 429.0 | Shop Supervisor |
| 123.5 | Social Services Coordinator |
| 423.5 | Social Services Coordinator (MGT Benefits) |
| 114.5 | Stenographer Clerk |
| 118.5 | Storeskeeper |
| 428.5 | Supervising Building Inspector |
| 428.0 | Supervising Construction Inspector |
| 428.0 | Supervising Housing Rehabilitation Specialist |
| 429.0 | Transit Manager |
| 720.5 | Tree Trimmer (Y-Rate) |
| 120.5 | Tree Trimmer |
| 122.5 | Tree Trimmer Crew Leader |
| 424.5 | Warehouse Supervisor |
| 118.5 | Wastewater Treatment Plant Attendant |
| 120.5 | Wastewater Treatment Plant Operator |
| 426.5 | Wastewater Treatment Plant Supervisor |
| 432.0 | Water Quality Control Superintendent |
| 125.0 | Water System Inspector |
| 422.0 | Word Processing Supervisor |
| 114.5 | Word Processing Technician |
| 113.5 | Word Processing Trainee |
| 425.0 | Zoning Inspector |

Totals: 13 City Manager, Department Heads
181 Other
194

MODESTO CITY COUNCIL
RESOLUTION NO. 83-644

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF EXTENDED MEMORY EQUIPMENT FROM THE BURROUGHS CORPORATION

WHEREAS, acquisition of additional equipment is needed to meet the needs of the Burroughs Computer System, and the Burroughs Corporation is the sole manufacturer of hardware necessary for the City's existing Burroughs Computer located in the Data Processing Division.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of Extended Memory equipment is hereby waived.

BE IT FURTHER RESOLVED that purchase of Extended Memory equipment from the Burroughs Corporation at an approximate cost of $6,848, is hereby approved.

The foregoing resolution was introduced at a adjourned regular meeting of the Council of the City of Modesto held on the 6th day of October , 1983, by Councilmember Sutton , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-645

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF TWO PRINTERS FROM THE BURROUGHS CORPORATION

WHEREAS, acquisition of additional equipment is needed to meet the needs of the Burroughs Computer System, and the Burroughs Corporation is the sole manufacturer of hardware necessary for the City's existing Burroughs Computer located in the Data Processing Division.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of two printers is hereby waived.

BE IT FURTHER RESOLVED that a purchase agreement with the Burroughs Corporation for two printers at an approximate cost of $5,000, is hereby approved.

The foregoing resolution was introduced at a/~~regular~~ adjourned meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Sutton , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-646

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND APPROVING A LEASE/PURCHASE AGREEMENT BETWEEN THE CITY OF MODESTO AND THE BURROUGHS CORPORATION FOR A DISK DRIVE

WHEREAS, acquisition of additional equipment is needed to meet the needs of the Burroughs Computer System, and the Burroughs Corporation is the sole manufacturer of hardware necessary for the City's existing Burroughs Computer located in the Data Processing Division.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of a Disk Drive is hereby waived.

BE IT FURTHER RESOLVED that a lease/purchase agreement with the Burroughs Corporation for a Disk Drive at an approximate cost of $11,300, to be executed by the designated city officials, is hereby approved.

The foregoing resolution was introduced at a/~~regular~~ adjourned meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Sutton , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-647

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT WITH THE WANG LABORATORIES FOR HARDWARE AND SOFTWARE EQUIPMENT FOR THE WANG VS AND OIS SYSTEMS

WHEREAS, acquisition of additional equipment is needed to meet the needs of the Wang VS and OIS Systems, and the Wang Laboratories is the sole manufacturer of hardware and software necessary for the City's existing Wang Computers located in the Management Services and Police Departments.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of hardware and software equipment for the Wang VS and OIS Systems is hereby waived.

BE IT FURTHER RESOLVED that purchase of hardware and software equipment for the Wang VS and OIS Systems from Wang Laboratories for an approximate cost of $105,530, is hereby approved.

The foregoing resolution was introduced at ~~a~~/adjourned regular meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-648

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF THE HP 1000 COMPUTER FROM HEWLETT PACKARD

WHEREAS, acquisition of a geoprocessing/geographics computer component to focus on data which has a geographic or spatial component and will have as a major task the production of figures and maps; and Hewlett Packard is the sole manufacturer of the necessary equipment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of the HP 1000 Computer is hereby waived.

BE IT FURTHER RESOLVED that purchase of the HP 1000 Computer from Hewlett Packard for an approximate cost of $108,400, is hereby approved.

The foregoing resolution was introduced at a/regular meeting of the Council adjourned of the City of Modesto held on the 6th day of October, 1983, by Councilmember Sutton , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-649

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THREE LETTER-QUALITY PRINTERS WITH SILENCERS, ONE MATRIX PRINTER, AND FOUR TWIN SHEET FEEDERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of three letter-quality printers with silencers, one matrix printer, and four twin sheet feeders copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 25, 1983, at 3:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at ~~a~~ adjourned regular meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-650

A RESOLUTION AMENDING THE ANNUAL BUDGET OF THE CITY OF MODESTO FOR FY1983-84 TO PROVIDE FINANCING FOR THE ACQUISITION OF COMPUTER HARDWARE AND SOFTWARE

WHEREAS, the Council of the City of Modesto has approved the acquisition of Computer Hardware and Software, and

WHEREAS, it is necessary to amend the Annual Budget of the City of Modesto for FY1983-84 to provide financing for said acquisition,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following amendments to the Annual Budget for FY1983-84 be made:

1. The amount of $-0- now appropriated in account 70.13-8912, Transfer to Special Fund for Capital Outlay, of the Water Fund, Fund No. 61, be increased to $41,134.

2. The amount of $381,696.98 now appropriated in account 61.04-8911, Contingency Reserve for Pending Projects, of the Water Fund, Fund No. 61, be reduced by $41,134 to $340,562.98.

3. The amount of $-0- now appropriated in account 70.13-8912, Transfer to Special Fund for Capital Outlay, of the Sewer Fund, Fund No. 62, be increased to $41,134.

4. The amount of ($525,635.27) now appropriated in account 61.04-8911, Contingency Reserve for Pending Projects, of the Sewer Fund, Fund No. 62, be reduced by $41,134 to ($566,769.27).

5. The amount of $255,520 now appropriated in account 6910-7112, Data Processing Expansion, of the Special Fund for Capital Outlay, Fund No. 13, be increased $82,268 to $337,788.

6. The amount of $-0- now estimated as revenue in account 941.61, Transfer in from Water Fund, of the Special Fund for Capital Outlay, Fund No. 15, be increased to $41,134.

7. The amount of $-0- now estimated as revenue in account 941.62, Transfer in from Sewer Fund, of the Special Fund for Capital Outlay, Fund No. 13, be increased to $41,134.

8. The amount of $5,500 be appropriated in account 6919-7101, Wang P.C. and Printer, of the Housing & Community Development Fund, Fund No. 11.

9. The amount of $541,936 now appropriated in account 61.08-8911, Reserved for Loan Programs, of the Housing & Community Development Fund, Fund No. 11, be reduced by $5,500 to $536,436.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to implement the provisions of this resolution.

The foregoing resolution was introduced at a adjourned regular meeting of the Council of the City of Modesto held on the 6th day of October, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-651

A RESOLUTION ESTABLISHING PASSENGER FARES FOR BUS SERVICE ON MODESTO INTRACITY TRANSIT AND SUPERSEDING RESOLUTION NO. 82-560.

BE IT RESOLVED by the Council of the City of Modesto that the following fares are hereby established for passengers riding on the fixed route buses of the Modesto Intracity Transit:

A. Cash Fares

| | |
|---|---|
| 1. Regular Passengers | $ .50 |
| 2. Students (age 5 and older and full-time college students) | $ .35 |
| 3. Handicapped and Senior Citizens | $ .25 |
| 4. Passengers riding between 9:15 a.m. and 11:15 a.m. on Mondays through Fridays | $ .25 |
| 5. Transfer fare for passengers transferring from the Stanislaus County Rural Transit System to Intracity Transit | $ .25 |

B. Passes and Tickets

| | |
|---|---|
| 1. Regular Monthly Pass - full month | $ 20.00 |
| After the 7th of the month | 15.00 |
| After the 14th of the month | 10.00 |
| After the 21st of the month | 5.00 |
| 2. Student Monthly Pass - full month | $ 15.00 |
| After the 7th of the month | 11.25 |
| After the 14th of the month | 7.50 |
| After the 21st of the month | 3.75 |
| 3. Senior Citizen/Handicapped Monthly Pass - full month | $ 12.00 |
| After the 7th of the month | 9.00 |
| After the 14th of the month | 6.00 |
| After the 21st of the month | 3.00 |
| 4. All day Bus Pass (all passengers) | $ 1.25 |

| | | |
|---|---|---|
| 5. | Commuter Tickets (Commuter tickets are valid only between the hours of 6:00 a.m. and 10:00 a.m. and from 4:00 p.m. to 6:00 p.m. every day | $ 21.00 for 50 rides |
| 6. | Regular Passenger Ticket Books | $ 25.00 for 50 rides |

BE IT FURTHER RESOLVED that this resolution shall be effective on and after November 7, 1983, and supersedes Resolution No. 82-560.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-652

A RESOLUTION ESTABLISHING PASSENGER FARES FOR DIAL-A-RIDE SERVICE AND SUPERSEDING RESOLUTION NO. 83-217.

BE IT RESOLVED by the Council of the City of Modesto that the following fares are hereby established for passengers riding on the City of Modesto's Dial-A-Ride service:

A. Exclusive Elderly/Handicapped Service Hours.

During the hours of exclusive elderly/handicapped Dial-A-Ride Service the following fares are hereby established:

| | |
|---|---|
| Regular Cash Fare: | $ 1.20 |
| Elderly and handicapped receiving only $58.00 a month or less in disposable income and residing in board and care homes. | $ .50 |
| Ticket Books (containing 10 tickets) | $ 7.50 |

B. General Public Service Hours

During the hours Dial-A-Ride Service is open to the general public the following fares are hereby established:

$1.50 per ride for all passengers. The $1.50 fare may be paid in cash or with two tickets from a Dial-A-Ride ten ride ticket book.

BE IT FURTHER RESOLVED that this resolution shall be effective on and after November 7, 1983, and supersedes Resolution No. 83-217.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 11th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None.

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney



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MODESTO CITY COUNCIL
RESOLUTION NO. 83-653

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF STREETS ADJACENT TO ORCHARD NEIGHBORHOOD PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of streets adjacent to Orchard Neighborhood Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 25, 1983, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-654

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE ROOF REPAIR OF PARKING AND TRAFFIC BUILDING AT CORPORATION YARD - BLOCK 436

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the roof repair of Parking and Traffic building at Corporation Yard - Block 436,

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 25, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 19 83, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-655

A RESOLUTION ACCEPTING THE BID OF MODESTO SAND AND GRAVEL FOR BANK REPAIR AND SLOPE PROTECTION AT KEWIN PARK BIKE BRIDGE

WHEREAS, Resolution No. 83-584, adopted by the Council of the City of Modesto on September 13, 1983, approved the plans and specifications for the bank repair and slope protection at Kewin Park and authorized the calling for bids; and

WHEREAS, the bids received for the bank repair and slope protection at Kewin Park were opened at 11:05 a.m. on October 4, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Modesto Sand and Gravel in the amount of $28,740 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Modesto Sand and Gravel in the amount of $28,740 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-656

A RESOLUTION ACCEPTING THE BID OF M & M ELECTRIC FOR BRIGGSMORE STREET LIGHTING, PHASE 2 - CARVER ROAD EAST

WHEREAS, Resolution No. 83-585, adopted by the Council of the City of Modesto on September 13, 1983 , approved the plans and specifications for the Briggsmore street lighting, Phase 2 - Carver Road east and authorized the calling for bids; and

WHEREAS, the bids received for the Briggsmore street lighting, Phase 2 - Carver Road east were opened at 11:00 a.m. on October 4, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of M & M Electric in the amount of $24,142 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of M & M Electric in the amount of $24,142 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October , 1983 , by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-657

A RESOLUTION ACCEPTING THE BID OF BEST CHEVROLET FOR FURNISHING ONE SERVICE TRUCK

WHEREAS, Resolution No. 83-561, adopted by the Council of the City of Modesto on September 6, 1983 , approved the plans and specifications for the purchase of one service truck
and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of one service truck

were opened at 3:00 p.m. on September 27, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Best Chevrolet in the amount of $19,135
be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Best Chevrolet in the amount of $19,135
be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October , 19 83, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-658

A RESOLUTION ACCEPTING THE BID OF DOW HAMMOND FOR FURNISHING A SERVICE VAN

WHEREAS, Resolution No.83-561, adopted by the Council of the City of Modesto on September 6, 1983, approved the plans and specifications for the purchase of one service van and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of one service van were opened at 3:00 p.m. on September 27, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Dow Hammond in the amount of $13,548 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Dow Hammond in the amount of $13,548 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 19 83, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-659

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TWO HIGH DUMP STREET SWEEPERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of two high dump street sweepers

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 1, 1983, at 3:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-660

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF GARY WEST FROM THE DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD, EFFECTIVE OCTOBER 11, 1983

WHEREAS, Gary West was appointed a member of the Downtown Improvement District Advisory Board on August 11, 1975; and

WHEREAS, Gary West has tendered his resignation from the Downtown Improvement District Advisory Board, effective October 11, 1983; and

WHEREAS, Gary West has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignation of Gary West from the Downtown Improvement District Advisory Board be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to Gary West for his outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-661

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** DASH AIR CORPORATION FOR OPERATING AN AIRLINE AT THE AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Dash Air Corporation for operating an airline at the Modesto City-County Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** October, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-662

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ALOMA LACKEY FOR THE LEASE OF PARKVIEW GUESTHOME LOCATED AT 1343 LEGION PARK DRIVE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Aloma Lackey for the lease of Parkview Guesthome located at 1343 Legion Park Drive

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** October**, 19** 83**, by Councilmember** Whiteside**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-663

A RESOLUTION APPROVING REQUEST FOR PROPOSALS FOR A FULL SERVICE FIXED BASE OPERATION AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Request for Proposals for a full service fixed base operation at the Modesto City-County Airport, copies of which are on file, are hereby accepted and approved.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk , 801 11th Street, in the City of Modesto, on November 15, 1983, at 3:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

BE IT FURTHER RESOLVED after the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1983, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-664

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** CRAIG LEAVITT - STEPHEN WEAVER, INC. FOR THE LEASE OF 1125 11TH STREET

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Craig Leavitt - Stephen Weaver, Inc. for the lease of 1125 11th Street

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** October, **19**83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Maxine Coyle
**MORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-665

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** FLORENCE DEMARTINI FOR THE ACQUISITION OF HER SHARE OF A BICYCLE EASEMENT AT ENCINA AND CONEJO

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Florence DeMartini for the acquisition of her share of a bicycle easement at MID Lateral No. 2 at Encina and Conejo

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** October, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-666

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GALLO GLASS COMPANY FOR THE LEASE OF A PORTION OF MARK TWAIN PARK SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Gallo Glass Company for the lease of a portion of Mark Twain Park site

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** October**, 19** 83**, by Councilmember** Whiteside**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-667

A RESOLUTION ADOPTING A POLICY FOR ACQUISITION AND DEACCESSIONING CRITERIA AND PROCEDURES FOR ARTIFACTS IN HISTORICAL BUILDINGS

WHEREAS, the City Council deems it desirable to adopt a policy establishing criteria and procedures for acquiring and deaccessioning artifacts in historical buildings owned by the City of Modesto.

BE IT HEREBY RESOLVED that the City Council of the City of Modesto does hereby adopt the policy entitled, "Acquisition and Deaccessioning Criteria and Procedures for Artifacts in Historical Buildings", a copy of which is attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1983, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

# ACQUISITION AND DEACCESSIONING CRITERIA AND PROCEDURES FOR ARTIFACTS IN HISTORICAL BUILDINGS

## Purpose:

To establish criteria and procedures for acquiring and deaccessioning artifacts in historical buildings owned by the City of Modesto.

## Policy:

### Acquisition Criteria

1. McHenry Mansion: Objects must be within the proper time frame: 1883-1896 for Robert McHenry's period; 1896-1906 for Oramil McHenry's period. Certain pieces dated prior to 1883 may be included if it is determined that the McHenrys may have acquired those furnishings for a previous house.

   The objects must meet the needs of the house.

   The style of object should reflect the nature of the inhabitants--Robert McHenry, a conservative banker and rancher and Oramil McHenry, a successful businessman.

2. McHenry Museum: The McHenry Museum is dedicated to collect, preserve, study and exhibit those objects that will serve to illustrate the history of Stanislaus County and particularly the City of Modesto.

   The Museum will collect historically significant artifacts that depict the City's and County's unique past in terms of its Indian inhabitants, gold mining, exploration and settlements, agriculture and irrigation, business and industry, educational and cultural institutions, the impact of the railroad and the lifestyle of its inhabitants. Objects must be consistent with the McHenry Museum Master Plan.

3. McClure House: (to be developed.)

4. Artifacts Policy Committees:

(a) The purpose of the artifacts policy committees shall be to establish policy and to hear appeals regarding the acquisition and deaccessioning of artifacts for each historical building owned by the City.

(b) An artifacts policy committee shall be appointed by the Culture Commission for each historical building owned by the City. Each committee shall be composed of two city staff persons nominated by the Director of Parks and Recreation, two persons nominated by the Board of Directors of the appropriate historical building volunteer support group and a member of the Culture Commission who shall serve as chairperson. All members of the artifacts policy committees shall serve at the pleasure of the Culture Commission.

(c) The appropriate artifacts policy committees shall establish the necessary additional acquisition/deaccessioning criteria for historical artifacts for each historical building.

Acquisition Procedure

1. The determination regarding the acquisition of particular items shall be made by the City staff and the acquisition committee of the appropriate historical building support group based on the acquisition/deaccessioning criteria established for the historical building.

2. When an historical artifact is offered for donation or loan, it will be determined by the City staff whether it meets the acquisition criteria established for the historical building.

3. When an historical object is located for possible purchase by an appropriate volunteer support group acquisition committee, it will be reviewed by the City staff to determine whether it meets the acquisition criteria established for the historical building and a recommendation submitted to the volunteer support group acquisition committee.

4. In case of a disagreement between City staff and a volunteer support group acquisition committee, the disagreement will be submitted to the appropriate artifacts policy committee for determination.

5. A decision by an artifacts policy committee may be appealed by City staff or a volunteer support group acquisition committee to the Culture Commission. The decision of the Culture Commission shall be final.

6. Staff will make a suitable report on all acquisitions to the appropriate artifacts policy committee, the appropriate volunteer support group acquisition committee and the Culture Commission.

7. All items accepted for use as historical artifacts will be catalogued and subject to the following deaccessioning criteria and procedure.

Rejection Procedure

1. Any historical item offered to any one City-owned historical building which does not meet that building's acquisition criteria should be offered to all other historical buildings subject to permission of the donor.

2. If the offered item does not meet the acquisition criteria for any City-owned historical building, the offer should be graciously declined.

Items Donated Specifically For Resale

Items donated specifically to a volunteer support group for resale will not be catalogued but will be handled by the appropriate volunteer support group.

Deaccessioning Criteria

1. The determination regarding the deaccessioning of particular items shall be made by the city staff and the acquisition committee of the appropriate historical building support group based on the acquisition/deaccessioning criteria established for the historical building.

2. A catalogued item may be deaccessioned if it does not meet the acquisition criteria for the particular historical building.

3. A catalogued item may be deaccessioned if it will cost more to restore the object than to purchase a replacement in acceptable condition.

4. A catalogued item may be deaccessioned if it is a duplicate of another object in the collection and is not useful for educational programs or for study.

5. A catalogued item may be deaccessioned if it will be replaced with a more appropriate object.

6. A catalogued item may be deaccessioned if new historical information alters provenance or authenticity of the artifact.

7. A catalogued item of any historical building may be deaccessioned if the artifact is no longer suitable for that building. Determination to deaccession a catalogued item is to be made by City staff based on recommendations of the appropriate volunteer support group acquisition committee and acquisition/ deaccessioning criteria established for the historical building. If a catalogued item to be deaccessioned meets the acquisition criteria of any other City-owned historical building, the other historical building shall have first opportunity to acquire the item.

8. Any original McHenry, Hogin or McClure family items accepted by, or presently owned by the City, will be placed in the appropriate City-owned historical building.

Deaccessioning Procedure

1. The initial decision to deaccession an object is to be made by the City staff based on the above criteria. The resale value of objects is to be established by independent resale appraisers.

2. In case of a disagreement between City staff and a volunteer support group acquisition committee, the disagreement will be submitted to the appropriate artifacts policy committee for determination.

3. A decision by an artifacts policy committee may be appealed by City staff or a volunteer support group acquisition committee to the Culture Commission. The decision of the Culture Commission shall be final.

4. Staff will make a suitable report on all sales to the appropriate artifacts policy committee, the appropriate volunteer support group acquisition committee and the Culture Commission.

5. Money from the sale of a deaccessioned item shall be put in a city trust account for the appropriate historical building. The policy for the expenditure of these funds shall be determined by the appropriate artifacts policy committee in accordance with established city procedures.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-668

A RESOLUTION NAMING THE CITY OF MODESTO'S MUNICIPAL BASEBALL PARK JOHN THURMAN FIELD

WHEREAS, it is the policy of the City of Modesto to name its parks and recreational facilities, and

WHEREAS, one of the City's recreational facilities is a municipal baseball park now known as Del Webb Field, and

WHEREAS, the Council desires to rename the municipal baseball park, and

WHEREAS, John Thurman was a farmer and dairyman in Stanislaus County for over thirty-five years, and

WHEREAS, John Thurman served for ten years as a trustee of the Hart-Ransom Union School District, two years as a Stanislaus County Supervisor, and ten years as an assemblyman in the State Legislature, and

WHEREAS, John Thurman always had a keen interest in baseball and annually sponsored a John Thurman night at Modesto's municipal baseball park, and

WHEREAS, the Council feels it is appropriate to honor the memory of John Thurman and his outstanding contributions to this community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby rename the City's municipal baseball field John Thurman Field.

BE IT FURTHER RESOLVED that whenever reference is made to Del Webb Field in any City of Modesto resolution, agreement, insurance certificate or other document, it shall be deemed to refer to John Thurman Field.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation of the City of Modesto is hereby directed to take appropriate steps to implement this resolution.

BE IT FURTHER resolved that Resolutions No. 55-35 and 57-543 are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-669

A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR THE USE OF JOHN THURMAN FIELD, ESTABLISHING FEES AND CONDITIONS FOR THE ISSUANCE OF PERMITS FOR THE USE THEREOF, AND RESCINDING RESOLUTION NO. 78-1197.

WHEREAS, from time to time, the City receives requests for permission to use John Thurman Field for special events, and

WHEREAS, the Council finds it desirable that permission for these uses be handled administratively, and

WHEREAS, Section 12-3.03 of the Municipal Code authorizes the Council by resolution to control and regulate the use of John Thurman Field,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. GRANTING OF PERMITS. The Director of Parks and Recreation is hereby authorized to grant permits to persons and organizations which submit requests for use of said John Thurman Field in writing to the Director of Parks and Recreation. All such requests shall be approved or denied by the Director subject to the conditions herein specified, provided the requested use will not interfere with the primary use of the field for professional baseball. Any person excepting to the denial of his/her request by the Director of Parks and Recreation may appeal the decision to the Council in accordance with the provisions of Chapter 4 of Title I of the Modesto Municipal Code.

SECTION. FEES FOR USE. Except as hereinafter set forth, those persons and organizations granted permission to use John Thurman Field shall be required to pay the following fees, based on actual attendance at each activity or event

carried on or held in John Thurman Field:

| | | | |
|---|---|---|---|
| 0 | - | 500 attendance | $ 50.00 |
| 501 | - | 750 attendance | $ 75.00 |
| 751 | - | 1,000 attendance | $ 100.00 |
| 1,001 | - | 2,000 attendance | $ 150.00 |
| 2,001 | - | and above | $ 200.00 |

Said fees shall be paid to the Director of Finance

Exception:

If the activity is managed and carried on wholly by a non-profit institution or organization for the benefit of charitable, religious, or benevolent purposes, and if such non-profit institution or organization will derive, both directly and indirectly, any and all profits to be derived from such activity, then the fees imposed by this section shall be waived; but no person, firm, or corporation engaged in the business of conducting any such activity shall be relieved of the fees imposed by this section solely by reason of the sponsorship of such activity by an institution or organization which might itself be exempt from such fees.

SECTION 3. ADVANCE DEPOSIT. Based upon prior use of John Thurman Field by the persons and organizations which request permits under the provisions of this resolution, advance deposits shall be paid to the Director of Finance for the use of said John Thurman Field. The amount of these advance deposits shall be determined in each case by the Director of Finance based upon prior use of the field by such persons and organizations and shall be paid to the Director of Finance prior to the time the permit is granted for such use.

SECTION 4. RULES AND REGULATIONS. The granting of permits for the use of John Thurman Field (hereinafter referred to as the "facility") shall be subject to the following rules and regulations:

(a) The facility is available and adequate for the requested use on the date requested.

(b) Requests shall be presented in writing to the City of Modesto Parks and Recreation Department far enough in advance of the proposed use so that reservations may be completed and confirmed two weeks prior to the use of the facility.

(c) User agrees in writing to indemnify and hold the City, its agents, officers and employees harmless from any and all liability for bodily injuries, property damage and costs and charges of any kind or character arising out of or relating to or in any way connected with the exercise of said permit, and to reimburse the City for any damage directly or indirectly occurring to the facility resulting from or arising out of use of said facility.

(d) User agrees in writing, at user's own cost and expense to defend any and all law suits arising out of or in any way connected with the exercise of said permit.

(e) User shall acquire and maintain during the life of the permit Public Liability Insurance policy(s) to cover the liability assumed by user pursuant to the indemnity agreement required by subparagraph (c) above. The amount of such insurance shall be as follows:

Bodily Injury Liability Insurance in an amount not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars per person per occurrence, and not less than Three Hundred Thousand and no/100ths ($300,000.00) Dollars in the aggregate per occurrence; and Property Damage Insurance in an amount not less

than Fifty Thousand and no/100ths ($50,000.00) Dollars per occurrence; or in lieu thereof, the user shall purchase and maintain a Bodily Injury and Property Damage Public Liability policy(s) with combined single limits of liability of Three Hundred Fifty Thousand and no/100ths ($350,000.00) Dollars per occurrence.

The policy(s) of insurance so provided shall contain a contractual liability endorsement covering the liability assumed by the user by the indemnity clause required by subparagraph (c) above, and shall contain a provision that such policy(s) may not be cancelled except after thirty (30) days notice in writing to the City Clerk.

User shall furnish the Director of Parks and Recreation with a certificate(s) of insurance as evidence of the required insurance, and fully covering the period of the permit.

(f) A key deposit of $2.50 will be charged for all keys issued. Failure to return the keys to the Parks and Recreation Department within 48 hours after the close of the activity will constitute adequate grounds for the denial of future use of this facility and forfeiture of the key deposit, and does not relieve the person responsible of the obligation to return any such keys in his/her possession.

(g) If lights are desired during the activity, the user shall be responsible for having the power turned on by the Modesto Irrigation District. All power bills shall be paid by the person or organization using the lights. If the activity takes place during the baseball season, the user shall make arrangements with the professional baseball team that uses John Thurman Field for the use of the lights, and shall pay for the use of the lights before a permit will be issued.

(h) The person or organization proposing to use the facility, and a representative of the Parks and Recreation Department shall together inspect the area 24 hours before the activity is to take place.

(i) No user shall carry on any activity which will be injurious to the facility.

(j) All users must clear the facility, lock the gates and doors, turn off all lights, and vacate the premises, including the parking lot, by midnight, unless other arrangements have been made and approved by the Director of Parks and Recreation.

(k) Users shall, at their own expense, supply any additional equipment necessary to carry on the proposed activity. Existing facilities at the field may be used in conjunction with the approved activity. Any alterations to the existing facilities must be cleared with the Director of Parks and Recreation prior to the use of the facility, and the facility shall be restored to its original status immediately after the activity has ended.

(l) Arrangements for concession facilities must be made with the professional baseball team that uses John Thurman.

(m) Arrangements for police protection of the area inside and outside of the facility shall be made in advance of the activity. All fire regulations shall be observed. No car or other obstruction shall be permitted around any exit gates or the area between the main ticket booth and the main entrance to the field. Cars must be parked in the parking lot in an orderly fashion, and in such a way as to permit emergency vehicles to gain entrance to any and all parts of the field.

(n) Users shall make arrangements for clean-up of the facility immediately after the activity, and the premises shall be left in a clean and

orderly condition. Upon failure to do so, the City will order the field cleaned and bill the user; and this shall be considered sufficient grounds to deny future use of the facility by such user.

(o) User shall also comply with the rules and regulations governing the use of John Thurman Field as set forth in Section 12-3.02 of the Modesto Municipal Code.

SECTION 5. FURNISHING PERMITS. The Director of Parks and Recreation shall furnish user with a copy of the permit, setting forth the terms and conditions of the permit. The Director shall not issue a permit until he/she has been furnished with the certificate of insurance required by this resolution. User shall be required to sign a copy of the permit which shall be maintained on file in the Parks and Recreation Department and no right shall be conferred by any permit authorized under this resolution until said written consent to the terms and conditions of the permit is executed by the user.

SECTION 6. REPEALS. Resolution No. 78-1197 adopted by the Council on November 20, 1978, is hereby rescinded.

SECTION 7. EFFECTIVE DATE. This resolution shall go into effect and be in full force and operation from and after the effective date of Ordinance No. 2220-C.S., which was introduced by the Council on October 11, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the

resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-670
AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE MODESTO A'S TO ADD A NEW PARAGRAPH WHICH PROVIDES THAT WHENEVER THE TERM DEL WEBB FIELD IS USED THEREIN, IT SHALL BE DEEMED TO MEAN AND REFER TO JOHN THURMAN FIELD

**BE IT HEREBY RESOLVED by the Council of the City of Modesto** amended **that the/agreement between the City of Modesto and** the Modesto A's to add a new paragraph which provides that whenever the term Del Webb Field is used therein, it shall be deemed to mean and refer to John Thurman Field

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 11th **day of** October**, 19** 83**, by Councilmember** Whiteside**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-671

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (McHENRY-DRY CREEK MUNICIPAL REORGANIZATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on September 6, 1983, duly adopted Resolution No. 83-577 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 236 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, October 18, 1983, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 236 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 236 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 236, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 236, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Alfred Zamora
Engineering Services Department



130/000-00160-01/15/79

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Coffee - Rumble Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern corner of the COFFEE-RUMBLE ANNEXATION (403), as per description filed June 19, 1979, as Instrument 82967, Stanislaus County Records, said point being on a Western line of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point also being on the East line of said Section 9;

1. thence along the existing City Limits along the Northern line of said ANNEXATION (403), North 89°37' West, 298.00 feet, to the Northwestern corner of ANNEXATION (403), and a point on the Eastern line of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Eastern line of ADDITION (157), North 00°50'30" West, 711.00 feet, to the Southwestern corner of the COFFEE NO. 3 ANNEXATION (383), as per description filed October 2, 1978, as Instrument 21312, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Southern line of said ANNEXATION (383), South 89°37' East, 298.00 feet, to the Southeastern corner of ANNEXATION (383), and a point on the Western line of the SYLVAN SCHOOL NO. 2 ADDITION (300), as per description filed January 19, 1973, as Instrument 29981, Stanislaus County Records;

4. thence continuing along the existing City Limits on said Western line of ADDITION (300), and said East line of Section 9, South 00°50'30" East, 403.96 feet, to the Southwestern corner of ADDITION (300), and the Northwestern corner of said ADDITION (252);

5. thence continuing along the existing City Limits on a Western line of ADDITION (252), and the East line of Section 9, South 00°50'30" East, 307.04 feet, to the point of beginning, containing 4.863 Acres, more or less.

EXHIBIT "A"

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION
(Lincoln Estates-Wycliffe Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 23, the South one-half of Section 24 and the North one-half of Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the CLAUS-DRY CREEK GOVERNMENTAL REORGANIZATION (415), as per description filed April 4, 1980, as Instrument 62872, Stanislaus County Records, said point being on the East line of said Section 24 and the center line of Claus Road;

1. thence along the existing City Limits on the Western line of said GOVERNMENTAL REORGANIZATION (415), North 00°47'00" West, 231.32 feet, to the Southeastern corner of the SCENIC-CLAUS ADDITION (399), as per description filed May 7, 1979, as Instrument 70628, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (399) and the center line of Scenic Drive, the following bearings and distances, South 89°13'00" West, 20.00 feet;

3. thence Westerly along a tangent curve concave to the South, having a Radius of 145.10 feet, a Central Angle of 18°23'00" and an Arc Length of 46.56 feet;

4. thence South 70°50'00" West, 245.91 feet;

5. thence Westerly along a tangent curve concave to the Northwest, having a Radius of 350.00 feet, a Central Angle of 17°57'30" and an Arc Length of 109.70 feet;

6. thence North 01°12'30" West, 5.00 feet;

7. thence South 88°48'00" West, 769.86 feet, to a Southeastern corner of the SPRING CREEK ADDITION (325), as per description filed January 15, 1975, as Instrument 26879, Stanislaus County Records;

8. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (325) and the center line of Scenic Drive, the following bearings and distances, South 88°48'00" West, 114.87 feet;

9. thence North 85°05'00" West, 493.32 feet;

10. thence South 86°14'30" West, 330.69 feet;

Exhibit "B"

11. thence South 64°48'00" West, 272.20 feet;

12. thence South 56°10'30" West, 304.60 feet;

13. thence South 45°30'00" West, 129.51 feet;

14. thence South 74°13'20" West, 161.82 feet;

15. thence South 87°55'00" West, 87.63 feet, to a Southeastern corner of the ORANGEBURG-LILLIAN ADDITION (302), as per description filed March 22, 1973, as Instrument 40448, Stanislaus County Records;

16. thence continuing along the existing City Limits on a Southern line of said ADDITION (302) and the center line of Scenic Drive, South 87°55'00" West, 327.34 feet, to a Southwestern corner of ADDITION (302);

17. thence continuing along the existing City Limits on a Western line of said ADDITION (302), North 00°52'10" West, 1337.33 feet, to the Northeastern corner of LINCOLN ESTATES NO. 4 SUBDIVISION, as per map filed July 28, 1965, in Volume 21 of Maps, Page 14, Stanislaus County Records, and a point on a Southern line of ADDITION (302);

18. thence continuing along the existing City Limits on said Southern line of ADDITION (302), South 89°20'20" West, 645.26 feet, to a Southwestern corner of ADDITION (302) and the Southeastern corner of the ORANGEBURG-LAKEWOOD ADDITION (328), as per description filed February 24, 1975, as Instrument 32476, Stanislaus County Records;

19. thence continuing along the existing City Limits on the Southern line of said ADDITION (328), South 89°20'20" West, 1309.25 feet, to the Southwestern corner of ADDITION (328) and the Southeastern corner of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972, as Instrument 23377, Stanislaus County Records;

20. thence continuing along the existing City Limits on a Southern line of said ADDITION (292), South 89°47' West, 656.99 feet, to a Southwestern corner of ADDITION (292), and a Southeastern corner of the ORANGEBURG-SONOMA ADDITION (299), as per description filed October 27, 1972, as Instrument 17572, Stanislaus County Records;

21. thence continuing along the existing City Limits on a Southern line of said ADDITION (292), South 89°47' West, 123.86 feet, to a Northeastern corner of the SCENIC-LAKEWOOD ADDITION (332), as per description filed May 30, 1975, as Instrument 46313, Stanislaus County Records;

boundary of said ADDITION (332), the following bearings and distances, South 00°59' East, 446.29 feet;

23. thence North 89°47' East, 780.85 feet, to the center line of Lakewood Avenue;

24. thence along said center line of Lakewood Avenue, South 00°59' East, 166.02 feet;

25. thence South 89°48'20" West, 190.00 feet;

26. thence South 00°59' East, 415.74 feet;

27. thence South 68°27'21" West, 144.52 feet, to a Northeastern corner of the SCENIC-LAKEWOOD NO. 2 ADDITION (374), as per description filed June 23, 1978, as Instrument 81725, Stanislaus County Records;

28. thence continuing along the existing City Limits on the boundary of said ADDITION (374), the following bearings and distances, South 00°59' East, 385.57 feet;

29. thence North 88°18' East, 325.32 feet, to said center line of Lakewood Avenue;

30. thence South 00°59' East, 324.25 feet;

31. thence South 77°47'15" West, 601.90 feet;

32. thence South 50°22'28" West, 250.68 feet, to a Northeastern corner of the SCENIC BEND NO. 2 GOVERNMENTAL REORGANIZATION (425), as per description filed July 3, 1980, as Instrument 721, Stanislaus County Records;

33. thence continuing along the existing City Limits on a Southeastern line of said GOVERNMENTAL REORGANIZATION (425), South 29°39'49" West, 583.62 feet, to an Eastern corner of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977 as Instrument 15057, Stanislaus County Records;

34. thence continuing along the existing City Limits on a Southeastern line of said ADDITION (359), South 29°39'49" West, 81.92 feet, to a Northwestern corner of the LINCOLN NO. 3 ADDITION (340), as per description filed February 4, 1976, as Instrument 35053, Stanislaus County Records;

35. thence continuing along the existing City Limits on the boundary of said ADDITION (340), the following bearings and distances, North 89°46'30" East, 174.07 feet, to the center line of Dry Creek;

36. thence along the center line of Dry Creek, North 26°03'20" East, 151.95 feet;

37. thence continuing along the center line of Dry Creek, North 34°09'26" East, 77.77 feet, to a Northwestern corner of the DRY CREEK PARK NO. 2 ADDITION (293), as per description filed June 30, 1972, as Instrument 26860, Stanislaus County Records;

38. thence continuing along the existing City Limits on the boundary of said ADDITION (293) and the center line of Dry Creek, the following bearings and distances, North 29°39'15" East, 30.01 feet;

39. thence North 34°20'00" East, 125.00 feet;

40. thence North 57°30'00" East, 155.00 feet;

41. thence North 65°10'00" East, 262.00 feet;

42. thence North 69°47'39" East, 188.72 feet;

43. thence South 87°32'00" East, 167.24 feet;

44. thence South 87°09'30" East, 216.88 feet;

45. thence South 67°34'30" East, 154.51 feet;

46. thence North 86°54'00" East, 73.13 feet;

47. thence South 77°38'00" East, 206.05 feet;

48. thence North 87°47'30" East, 49.70 feet;

49. thence South 67°03'00" East, 111.21 feet;

50. thence South 73°48'00" East, 83.48 feet;

51. thence South 82°22'00" East, 226.12 feet;

52. thence North 86°28'00" East, 101.84 feet;

53. thence leaving the center line of Dry Creek and along the boundary of ADDITION (293), South 00°58'28" East, 361.46 feet;

54. thence along a Northern line of ADDITION (293) and the South line of said Section 24, North 89°19'27" East, 710.06 feet, to the center line of Dry Creek;

55. thence continuing along the boundary of ADDITION (293) and the center line of Dry Creek, the following bearings and distances, South 58°38'55" East, 291.72 feet;

56. thence South 67°28'49" East, 73.30 feet;

57. thence South 59°43'19" East, 101.10 feet;

58. thence North 89°09'47" East, 212.25 feet;

59. thence North 66°17'08" East, 152.36 feet, to a Northwestern corner of LINCOLN NO. 2 ADDITION (324), as per description filed November 19, 1974, as Instrument 19676, Stanislaus County Records;

60. thence continuing along the existing City Limits on a Northwestern line of said ADDITION (324), North 54°00'52" East, 244.37 feet, to a Northwestern corner of ADDITION (324) and a point on the Northern line of said Section 25;

61. thence leaving the existing City Limits and along the center line of Dry Creek, the following bearings and distances; Nortn 64°55' East, 180.00 feet;

62. thence North 32°29'30" East, 308.77 feet;

63. thence North 12°50'50" West, 58.46 feet;

64. thence West, 32.00 feet;

65. thence North 18°30" West, 141.83 feet;

66. thence North 40°18'20" West, 109.76 feet;

67. thence North 29°52' West, 532.18 feet;

68. thence North 21°52'30" West, 144.93 feet;

69. thence North 45°00' East, 76.37 feet;

70. thence North 09°56' East, 67.00 feet;

71. thence Easterly along the center line of Dry Creek to the point of beginning, containing 165.5 Acres, more or less.

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Lucern - Coffee Area)

All that real property in tne State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the MORRIS ADDITION (224), as per description filed October 31, 1968, as Instrument 34429, Stanislaus County Records, said point being on a Western line of the SUNNYSIDE ANNEXATION (410), as per description filed July 26, 1979, as Instrument 6061, Stanislaus County Records;

1. thence along the existing City Limits on the Northern line of said ADDITION (224), and the center line of 60.00 foot East Morris Avenue, South 89°57' West, 308.00 feet, to the Northwestern corner of ADDITION (224), and a point on the Eastern line of the TSCHANTZ-VAN HORN ADDITION (48), as per description filed June 12, 1953, as Instrument 14774, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Eastern line of ADDITION (48), North 00°54' West, 161.20 feet, to the Northeastern corner of ADDITION (48);

3. thence continuing along the existing City Limits on the Northern line of ADDITION (48), North 89°59'15" West, 174.86 feet, to the Northwestern corner of ADDITION (48), and a point on an Eastern line of the ESGAR TRACT ADDITION (8), as per description filed December 6, 1939, as Instrument 15815, Stanislaus County Records;

4. thence continuing along tne existing City Limits on said Eastern line of ADDITION (8), North 00°54' West, 133.67 feet, to the Southwestern corner of the MILO ADDITION (211), as per description filed February 28, 1968, as Instrument 6307, Stanislaus County Records;

5. thence continuing along tne existing City Limits on the Southern line of said ADDITION (211), South 89°57' East, 142.97 feet, to the Southeastern corner of ADDITION (211);

6. thence continuing along tne existing City Limits on the Eastern line of ADDITION (211), Nortn 00°54' West, 362.48 feet, to the Northeastern corner of ADDITION (211), and a point on a Southern line of the DOWNEY HIGH SCHOOL AND JOHN MUIR SCHOOL ADDITION (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records;

EXHIBIT "C"

7. thence continuing along the existing City Limits on said Southern line of ADDITION (33), said line being the North line of said Section 28 and the center line of 60.00 foot Lucern Avenue, South 89°57' East, 339.90 feet, to a Southeastern corner of ADDITION (33), the Northeast corner of Section 28, and a point on the Western line of the COFFEE-LUCERN NO. 1 ADDITION (343), as per description filed March 26, 1976, as Instrument 44153, Stanislaus County Records;

8. thence continuing along the existing City Limits on said Western line of ADDITION (343), said line being the East section line of Section 28 and the center line of 90.00 foot Coffee Road, South 00°54' East, 495.00 feet, to the Southwestern corner of ADDITION (343), and the Northwestern corner of said ANNEXATION (410);

9. thence continuing along the existing City Limits on said Western line of ANNEXATION (410), and said East line of Section 28 and said center line of Coffee Road, South 00°54' East, 161.70 feet, to the point of beginning, containing 5.446 Acres, more or less.

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Oakdale - Floyd Area)

All tnat real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the CELESTE NO. 3 ADDITION (268), as per description filed February 12, 1971, as Instrument 5278, Stanislaus County Records, said point also being on the Western line of the ORCHARD NEIGHBORHOOD ADDITION (398), as per description filed March 23, 1979, as Instrument 59989, Stanislaus County Records, said point also being tne East quarter section corner of said Section 15;

1. thence along the existing City Limits on tne Northern line of said ADDITION (268), North 89°22'05" West, 778.25 feet, to the Northeastern corner of the CELESTE NO. 2 ADDITION (246), as per description filed December 29, 1969, as Instrument 42493, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Northern line of said ADDITION (246), North 89°22'05" West, 534.09 feet, to the Northeastern corner of the ROSE ACRES NO. 2 ADDITION (222), as per description filed September 19, 1968, as Instrument 29381, Stanislaus County Records;

3. tnence continuing along the existing City Limits on the Northern line of said ADDITION (222), North 89°22'05" West, 1292.14 feet, to a Southeastern corner of the FLOYD ADDITION (259), as per description filed August 17, 1970, as Instrument 26194, Stanislaus County Records;

4. thence continuing along the existing City Limits on an Eastern line of said ADDITION (259), said line also being the Eastern line of 40.00 foot Rose Avenue, North, 660.00 feet;

5. tnence continuing along the existing City Limits on a Southern line of said ADDITION (259), South 89°23'21" East, 964.49 feet, to the Southwestern corner of the OAKDALE-FLOYD NO. 2 ADDITION (379), as per description filed August 3, 1978, as Instrument 7281, Stanislaus County Records;

6. thence continuing along the existing City Limits on the Southern line of said ADDITION (379), South 89°23'21" East, 1640.53 feet, to tne Soutneastern corner of ADDITION (379) and a point on said Western line of said ADDITION (398);

EXHIBIT "D"

7. thence continuing along the existing City Limits on said Western line of ADDITION (398), said line being the center line of Oakdale Road and the section line common to Sections 14 and 15, above Township and Range, South 0°01'26" West, 660.96 feet, to the point of beginning, containing 39.495 Acres, more or less.

MCHENRY-DRY CREEK MUNICIPAL REORGANIZATION
(Scenic-Coffee Area)

All that real property in the State of California, County of Stanislaus, being a portion of the North one-half of Section 27 and the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the SCENIC-ROSE NO. 1 ADDITION (311), as per description filed October 29, 1973, as Instrument 16851, Stanislaus County Records, said point being on the center line of former 50.00 foot Scenic Drive;

1. thence along the existing City Limits on the Western line of said ADDITION (311), said line being parallel with and 29.04 feet Easterly from the North-South quarter section line of said Section 27, South 00°19'25" East, 619.63 feet, to the Southwestern corner of ADDITION (311), and a Northwestern corner of the SCENIC-ENCINA ADDITION (315), as per description filed February 27, 1974, as Instrument 33322, Stanislaus County Records;

2. thence leaving the existing City Limits and along the center line of Dry Creek, the following bearings and distances, South 76°23'12" West, 169.00 feet;

3. thence South 80°03'22" West, 123.00 feet;

4. thence South 57°08'32" West, 297.00 feet;

5. thence South 60°36'42" West, 176.57 feet, to the Northeastern corner of the EDGEBROOK NO. 1 ADDITION (297), as per description filed October 17, 1972, as Instrument 16035, Stanislaus County Records;

6. thence continuing along the existing City Limits on the Northern boundary of ADDITION (297), and the center line of Dry Creek, the following bearings and distances, South 69°24'23" West, 86.06 feet;

7. thence South 86°09'23" West, 73.59 feet;

8. thence South 88°22'23" West, 66.07 feet;

9. thence South 81°39'23" West, 66.66 feet;

EXHIBIT "E"

10. thence South 89°44'23" West, 85.15 feet;

11. thence Soutn 73°51'23" West, 75.00 feet;

12. thence South 00°15'37" East, 10.50 feet;

13. thence South 80°52'23" West, 94.16 feet;

14. thence Nortn 81°35'55" West, 101.39 feet, to the Soutneastern corner of the SCENIC ADDITION (186), as per description filed February 3, 1966, as Instrument 4293, Stanislaus County Records;

15. thence continuing along the existing City Limits on the Eastern line of said ADDITION (186), said line being the Eastern line of the Southwest quarter of the Northwest quarter of Section 27, North 00°25'53" East, 111.01 feet, to the Northeastern corner of ADDITION (186);

16. thence continuing along the existing City Limits on the Northern line of ADDITION (186), said line being the Northern line of the Southwest quarter of the Northwest quarter of Section 27, North 89°02'37" West, 1020.00 feet, to the Northwestern corner of ADDITION (186);

17. thence continuing along the existing City Limits on the Western line of ADDITION (186), South 00°21'23" West, 268.17 feet, to the center line of Dry Creek and a point on a Northern line of the LA LOMA-YOSEMITE ADDITION (55), as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records;

18. thence continuing along the existing City Limits on the Northern line of said ADDITION (55), and the center line of Dry Creek, Westerly, to a point on an Eastern line of the ORIGINAL CITY, as incorporated August 6, 1884;

19. thence continuing along the existing City Limits on said Eastern line of the ORIGINAL CITY, Northerly, to the Southeastern corner of the CAPITAL HEIGHTS ADDITION (1), said point being the Southeast corner of the Northwest quarter of the Northeast quarter of said Section 28;

20. thence continuing along the existing City Limits on the Eastern line of said ADDITION (1), said line being the East line of said Northwest quarter of the Northeast quarter of Section 28, Northerly, to the Southwestern corner of the PORTION OF LOT 44 OF THE BROUGHTON COLONY ADDITION (32), as per description filed May 18, 1950, as Instrument 11062, Stanislaus County Records;

21. thence continuing along the existing City Limits on a Southern line of said ADDITION (32), South 89°21'East, 943.80 feet;

22. thence continuing along the existing City Limits on a Soutnern line of said ADDITION (32), North 73°45' East, 34.32 feet, to a Northwestern corner of the SCENIC NO. 2 ADDITION (229), as per description filed May 2, 1969, as Instrument 15075, Stanislaus County Records;

23. thence continuing along tne existing City Limits on the Western and Southern boundaries of said ADDITION (229), tne following bearings and distances, South 00°54' East, 373.05 feet;

24. thence North 68°12'30" East, 362.25 feet, to the Southeastern corner of ADDITION (229), and the Soutnwestern corner of tne SCENIC-COFFEE ANNEXATION (429), as per description filed November 4, 1980, as Instrument 32241, Stanislaus County Records;

25. thence continuing along tne existing City Limits on a Southern line of said ANNEXATION (429), and the center line of 90.00 foot Scenic Drive, North 69°14'00" East, 442.46 feet, to the Southeastern corner of ANNEXATION (429), and the Southwestern corner of the SUNNYSIDE ANNEXATION (410), as per description filed July 26, 1979, as Instrument 6061, Stanislaus County Records;

26. thence continuing along the existing City Limits on a Soutnern line of said ANNEXATION (410), and said center line of Scenic Drive, North 69°14' East, 140.76 feet, to the Southeastern corner of ANNEXATION (410), and the Southwestern corner of tne SUNNYSIDE NO. 2 ANNEXATION (442), as per description filed September 30, 1981, as Instrument 17819, Stanislaus County Records;

27. thence continuing along tne existing City Limits on a Southern line of said ANNEXATION (442), the following bearings and distances, North 69°14' East, 770.31 feet;

28. thence North 76°14' East, 74.96 feet, to the Southeastern corner of ANNEXATION (442), and the Southwestern corner of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

29. thence continuing along tne existing City Limits on the Soutnern line of said ADDITION (226), and the center line of Scenic Drive, North 74°00'23" East, 1400.34 feet, to the point of beginning, containing 55.4 Acres, more or less.

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Scenic - Sonoma Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 23 and tne North one-half of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by tne Southwestern corner of tne SCENIC BEND ADDITION (359), as per description filed August 31, 1977, as Instrument 15057, Stanislaus County Records, said point being on tne center line of Dry Creek, said point also being the Southwestern corner of the property conveyed to Jack E. Goodwin, et ux, by deed recorded January 6, 1977, as Instrument 35756, Stanislaus County Records;

1. thence along tne existing City Limits on a Western line of said ADDITION (359), and the Western line of said Goodwin property, North 00°52'36" West, 435.73 feet, to a point on the former 40.00 foot wide Scenic Drive and a Southern line of tne SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records;

2. thence continuing along the existing City Limits on said Southern line of ADDITION (285), North 89°00'21" West, 1203.36 feet, to a Southwestern corner of ADDITION (285);

3. thence continuing along the existing City Limits on a Western line of ADDITION (285), said line being the center line of Sonoma Avenue and the North-South quarter section line of said Sections 23 and 28, North 00°51'41" West, 861.11 feet, to the Southeastern corner of the SONOMA NO. 1 ADDITION (277), as per description filed October 20, 1971, as Instrument 40190, Stanislaus County Record;

4. thence continuing along the existing City Limits on the Southern boundary of said ADDITION (277), the following bearings and distances, South 69°36'19" West, 187.27 feet;

5. thence North 84°54'41" West, 583.94 feet;

6. thence South 83°11'19" West, 428.36 feet, to the Southeastern corner of the SCENIC VILLAGE ADDITION (187), as per description filed March 24, 1966, as Instrument 10379, Stanislaus County Records;

7. thence continuing along the existing City Limits on a Southern line of said ADDITION (187), South 83°11'19" West, 220.49 feet;

EXHIBIT "F"

8. thence continuing along the existing City Limits on a Southern line of ADDITION (187), North 74°53'41" West, 397.37 feet, to the Northeastern corner of the SCENIC-OAKDALE ADDITION (371), as per description filed April 5, 1978, as Instrument 63080, Stanislaus County Records;

9. thence continuing along the existing City Limits on the Eastern line of said ADDITION (371), South 00°56'11" West, 763.66 feet, to the Southeast corner of ADDITION (371), and a point on tne center line of 50.00 foot Scenic Drive and a point on a Northern line of the SCENIC-OAKDALE NO. 3 ANNEXATION (452), as per description filed December 30, 1982, as Instrument 34239, Stanislaus County Records;

10. thence continuing along the existing City Limits on tne Northern and Eastern boundaries of said ANNEXATION (452), the following bearings and distances, South 67°01'41" East, 96.82 feet;

11. thence Easterly along a tangent curve concave to tne Nortn, having a Radius of 572.96 feet, a Central Angle of 21°47'48" and an Arc Lengtn of 217.97 feet;

12. thence along a tangent line, South 88°49'29" East, 355.37 feet;

13. thence leaving the center line of Scenic Drive, South 00°13'29" East, 408.93 feet, to a point on a Northern line of tne DRY CREEK PARK NO. 3 ADDITION (313), as per description filed January 21, 1974, as Instrument 27802, Stanislaus County Records;

14. thence continuing along the existing City Limits on the Northeastern boundary of said ADDITION (313), the following bearings and distances, North 85°57'31" East, 149.40 feet;

15. thence South 00°13'29" East, 130.00 feet;

16. thence Soutn 51°11' East, 340.00 feet;

17. thence Soutn 41°32'47" East, 198.31 feet;

18. thence South 33°07'30" East, 99.20 feet;

19. thence South 20°05'54" East, 139.11 feet;

20. thence South 00°13'31" East, 200.00 feet, to a point on a Northern line of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

21. thence continuing along the existing City Limits on the Nortnern boundary of said ADDITION (228), the following bearings and distances, South 89°57'25" East, 280.38 feet;

22. thence South 56°49'35" East, 299.55 feet, to the Northwestern corner of the DRY CREEK PARK NO. 4 GOVERNMENTAL REORGANIZATION (428), as per description filed September 24, 1980, as Instrument 18720, Stanislaus County Records;

23. thence continuing along the existing City Limits on the Northern boundary of said GOVERNMENTAL REORGANIZATION (428), the following bearings and distances, South 75°30'00" East, 344.32 feet;

24. thence North 72°30'00" East, 297.00 feet;

25. thence North 47°30'00" East, 231.00 feet;

26. thence North 21°45'00" East, 660.00 feet;

27. thence North 31°30'00" East, 231.00 feet;

28. thence North 54°45'00" East, 37.20 feet, to the point of beginning, containing 92.587 Acres, more or less.

CITY OF MODESTO

McHENRY-DRY CREEK MUNICIPAL REORGANIZATION

(Sherwood Forest Area)

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9, Townsnip 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the HARTE TRACT ADDITION (223), as per description filed October 18, 1968, as Instrument 33012, Stanislaus County Records, said point being on the most Eastern boundary of the CROCCO ADDITION (171), as per description filed March 17, 1965, as Instrument 10620, Stanislaus County Records;

1. thence along the existing City Limits on said Eastern boundary of ADDITION (171), North 00°47'00" West, 895.13 feet, to the Northeastern corner of ADDITION (171);

2. thence continuing along the existing City Limits on the Northern boundary of ADDITION (171), North 89°23'20" West, 1129.00 feet, to a Southeastern corner of the McHENRY ADDITION (241), as per description filed October 9, 1969, as Instrument 33951, Stanislaus County Records;

3. thence continuing along the existing City Limits on the Eastern line of ADDITION (241), North 00°47'30" West, 395.50 feet, to the Northeastern corner of ADDITION (241), said point also being the Southwestern corner of the NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION (435), as per description filed April 15, 1981, as Instrument 61596, Stanislaus County Records, said point being also the center line of 60.00 foot Robin Hood Drive;

4. thence continuing along the existing City Limits on a Southern line of GOVERNMENT REORGANIZATION (435), said line being a non-tangent curve concave to the Southwest, having a Radius of 670.00 feet, a Central Angle of 17°15'15" and an Arc Length of 201.77 feet, to a point of reverse curvature from which point a radial line bears North 28°57'30" East;

5. thence continuing along the existing City Limits along said Southerly boundary of GOVERNMENTAL REORGANIZATION (435), on said reverse curve concave to the Northeast, having a Radius of 530.00 feet, a Central Angle of 10°59'12" and an Arc Length of 101.63 feet, to the most Southerly corner of GOVERNMENTAL REORGANIZATION (435), from which point a radial line bears North 17°58'18" East;

6. thence continuing along the existing City Limits on an Eastern line of GOVERNMENTAL REORGANIZATION (435), and the center line of a 20.00 foot alley, Northn 00°47'30" West, 129.80 feet;

EXHIBIT "G"

7. thence continuing along the existing City Limits on a Southern line of GOVERNMENTAL REORGANIZATION (435), and the center line of a 20.00 alley, South 89°23'20" East, 190.32 feet, to the Southeastern corner of GOVERNMENTAL REORGANIZATION (435);

8. thence leaving the existing City Limits and continuing along the center line of the East-West alley in Block 12321 of the SHERWOOD FOREST Subdivision, as per map filed August 13, 1956 in Volume 18 of Maps, Page 56, Stanislaus County Records, South 89°23'20" East, 658.94 feet, to a point on the center line of 60.00 foot Doncaster Lane and a point on the Western line of the SHERWOOD FOREST NO. 2 ADDITION (451), as per description filed June 21, 1982, as Instrument 28536, Stanislaus County Records;

9. thence along the existing City Limits on said Western line of ADDITION (451), South 00°47'00" East, 10.01 feet, to the Southwestern corner of ADDITION (451);

10. thence continuing along the existing City Limits on the Southern line of ADDITION (451), and the Northern line of said Sherwood Forest Subdivision, South 89°23'20" East, 1318.76 feet, to a point on the Western line of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records;

11. thence continuing along the existing City Limits on said Western line of ADDITION (275), South 00°46'00" East, 159.54 feet, to the Northwestern corner of the CRESTWOOD TERRACE NO. 2 ADDITION (162), as per description filed March 24, 1964, as Instrument 11958, Stanislaus County Records;

12. thence continuing along the existing City Limits on the Western line of ADDITION (162), South 00°46'00" East, 1161.05 feet, to the Southwestern corner of ADDITION (162), and a point on the Northern line of the SHERWOOD MANOR ADDITION (94), as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records;

13. thence continuing along the existing City Limits on said Northern line of ADDITION (94), North 89°30'00" West, 464.42 feet, to the Northwestern corner of ADDITION (94), and a point on the Eastern line of said HARTE TRACT ADDITION (223);

14. thence continuing along the existing City Limits on said Eastern line of ADDITION (223), North 00°39'30" West, 20.00 feet, to the Northeastern corner of ADDITION (223);

15. thence continuing along the existing City Limits on the Northern line of ADDITION (223), said line being the Northern line of East Rumble Road, North 89°30'00" West, 854.23 feet, to the point of beginning, containing 49.993 Acres, more or less.

# CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on October 1[illegible], 1983, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Muratore, and adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whitesides, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: October 18, 1983

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 83-672

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF PLAYGROUND APPARATUS IN EAST LALOMA NEIGHBORHOOD PARK (ROBERTI-Z'BERG GRANT PROJECT #B050-501)

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of playground apparatus in East LaLoma Neighborhood Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 1, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-673

A RESOLUTION ACCEPTING THE BID OF COMMERCIAL ROOFING TECHNOLOGY FOR REROOFING THE CITY HALL ANNEX

WHEREAS, Resolution No.83-616, adopted by the Council of the City of Modesto on September 27, 1983, approved the plans and specifications for the reroofing of the City Hall Annex and authorized the calling for bids; and

WHEREAS, the bids received for the reroofing of the City Hall Annex were opened at 11:00 a.m. on October 11, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Commercial Roofing Technology in the amount of $15,986 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Commercial Roofing Technology in the amount of $15,986 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-674

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SECOND LAYER SLURRY SEAL ON DOWNTOWN CITY STREETS

WHEREAS, a report has been filed by the Director of Engineering Services that the construction of the second layer slurry seal on downtown City streets

has been completed by Valley Slurry Seal Company

in accordance with the contract agreement dated June 14, 1983.

NOW, THEREFORE, BE IT RESOLVED that the construction of second layer slurry seal on downtown City streets

be accepted from said contractor, Valley Slurry Seal Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $25,945.89 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [signature]
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-675

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE FIRE ENGINE PUMPER TEST PIT AND ROAD CONSTRUCTION - BLOCK 6240

WHEREAS, a report has been filed by the Director of Engineering Services that the construction of the fire engine pumper test pit and road construction - Block 6240 has been completed by Chas. I. Cunningham Company

in accordance with the contract agreement dated December 7, 1982.

NOW, THEREFORE, BE IT RESOLVED that the construction of the fire engine pumper test pit and road construction - Block 6240 be accepted from said contractor, Chas. I. Cunningham Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $49,255.60 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-676

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** FMC CORPORATION TO LEASE 317.6± SQUARE FEET OF THE CITY SERVICE YARD TO BE USED FOR TEST WELLS

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** FMC Corporation to lease 317.6± square feet of the City Service Yard to be used for test wells

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 18th **day of** October, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-677

A RESOLUTION GRANTING THE REQUEST OF THE FMC CORPORATION TO INSTALL FOUR PRIVATE GROUNDWATER MONITORING WELLS ON PROPERTY OWNED BY KNUDSEN CORPORATION LOCATED ON KANSAS AVENUE IN THE CITY OF MODESTO.

WHEREAS, a request was filed by the FMC Corporation by letter dated October 12, 1983, for permission to install four groundwater monitoring wells on the Knudsen Corporation's plant site located on Kansas Avenue, and

WHEREAS, two wells are proposed to be drilled to a depth of 100 feet and two wells are proposed to be drilled to a depth of 170 feet, and

WHEREAS, these wells would be used to minitor groundwater, for an undertermined time period, to satisfy California Water Quality Control Board requirements,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. Permission is hereby granted to the FMC Corporation to install on the Knudsen Corporation's plant site located on Kansas Avenue in the City of Modesto, four groundwater monitoring wells in accordance with the provisions of Section 5-1.501 of the Modesto Municipal Code and subject to the following terms and conditions:

(a) Two wells shall be to a depth of 100 feet.

(b) Two wells shall be to a depth of 170 feet.

(c) The drilling of the wells shall be subject to the approval of the Director of Utility Services of the City of Modesto and the Environmental Resources Department of the County of Stanislaus.

(d) The installation shall be made in accordance with all requirements of the laws of the State of California, the County of Stanislaus and the City of Modesto.

(e) When the groundwater is no longer required to be monitored with the four wells, the FMC Corporation shall abandon and permanently seal them in accordance with the requirements of the Director of Utility Services.

2. The City Clerk shall furnish permittee with a certified copy of this resolution. Permittee shall have twenty days from and after the adoption of this resolution within which to file written acceptance of this permit with the City Clerk and no right shall be conferred by this resolution until said acceptance is so filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-678

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** WESTERN DIVERSIFIED ENTERPRISES TO INSTALL TWO VIDEO GAME MACHINES IN THE AIRPORT PASSENGER TERMINAL

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Western Diversified Enterprises to install two video game machines in the Airport passenger terminal

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 18th **day of** October, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-679

A RESOLUTION APPROVING THE FINAL MAP OF THE DUTCHOLLOW NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, ZAGARIS MANAGEMENT SERVICES, INC.

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 11.525 acres, known as the Dutchollow No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 16th day of February, 1982, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Dutchollow No. 2 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-680

A RESOLUTION ACCEPTING IMPROVEMENTS IN ROSEGATE TOWNHOUSES SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, FIRST INTERSTATE BANK , subdividers of Rosegate Townhouses Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 47,400.00 and $ 23,700.00 respectively to guarantee improvements in Rosegate Townhouses Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated September 27, 1983, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Rosegate Townhouses Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $ 47,400 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $ 23,700 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October , 19 83 by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-681

A RESOLUTION ACCEPTING IMPROVEMENTS IN ROSEGATE TOWNHOUSE NO. 2 SUBD. AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, First Interstate Bank , subdividers of Rosegate Townhouse No. 2 Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 33,000.00 and $ 16,800.00 respectively to guarantee improvements in Rosegate Townhouse No. 2 Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated September 27, 1983, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Rosegate Townhouse No. 2 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $ 33,000 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $ 16,800 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October , 19 83 by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-682

A RESOLUTION APPROVING THE REQUEST OF CHUCK E. CHEESE - PIZZA TIME THEATRE FOR REFUND OF OVERPAYMENT OF BUSINESS LICENSE TAX IN THE AMOUNT OF $2,185.83

BE IT RESOLVED by the Council of the City of Modesto that the request of Chuck E. Cheese - Pizza Time Theatre for refund of $2,185.83 for overpayment of their business license tax is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-683

A RESOLUTION APPROVING THE REQUEST OF HOLT MOTORS FOR REFUND OF OVERPAYMENT OF BUSINESS LICENSE TAX OF $846.62

BE IT RESOLVED by the Council of the City of Modesto that the request of Holt Motors for refund of $846.62 for overpayment of their business license tax is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-684

A RESOLUTION SUPPORTING THE PROPOSED STANISLAUS COUNTY PLANT CLOSURE DISLOCATED WORKER PROGRAM AND REQUEST FOR GRANT FUNDS.

WHEREAS, since 1976 Stanislaus County has experienced a steady increase in unemployment, and

WHEREAS, for the past several months Stanislaus County's unemployment rate has been one of the highest in the State of California and the nation, and

WHEREAS, during 1982 several plant closures and mass layoffs were experienced in Stanislaus County, and

WHEREAS, recently three more companies (FMC, Cal Can, and S & W Tree Nuts) have given notification of impending closures, and

WHEREAS, the total number of employees that will be affected by these three new closures will exceed 900 , and

WHEREAS, 300 employees affected by prior plant closures were served by a plant closure program which assisted in returning 200 of them to full time employment, and

WHEREAS, the Stanislaus County Department of Employment and Training proposes to establish and operate a new plant closure displaced worker program, and

WHEREAS, the proposed program will provide displaced workers with the supportive services, job training and job development needed to return them to productive employment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby support the proposed Stanislaus County Plant Closure Dislocated Worker Program and the request for Title III - Non-Matching funds under the Job Training Partnership Act.



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The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

RESOLUTION NO. 83-685

RESOLUTION OF THE CITY OF MODESTO AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF CITY OF MODESTO MORTGAGE REVENUE BONDS, SERIES 1983 (FHA INSURED MORTGAGE LOAN -- STONEBRIDGE APARTMENTS PROJECT), THE EXECUTION AND DELIVERY OF AN INDENTURE, BOND PURCHASE AGREEMENT, OFFICIAL STATEMENT, DEVELOPMENT AGREEMENT AND FINANCING AND REGULATORY AGREEMENT AND CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

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WHEREAS, Part 5 of Division 31 of the Health and Safety Code of the State of California (the "Act") authorizes cities and counties to incur indebtedness for the purpose of making mortgage loans to housing sponsors to finance the development of multifamily rental housing and to issue revenue bonds for said purpose;

WHEREAS, the City Council of the City of Modesto (the "City") hereby finds and declares that it is necessary, essential and a public purpose for the City to finance mortgages pursuant to the Act, in order to increase the housing supply in the City for persons and families within the income limitations established by the Act;

WHEREAS, this City Council hereby finds and declares that this Resolution is being adopted pursuant to the powers granted by the Act;

WHEREAS, this City Council has determined to assist Calvin E. Bright and Marjorie H. Bright (the "Owner") by providing moneys for a loan (the "Mortgage Loan") to finance the construction of a multifamily rental housing development for persons of low or moderate income (the "Project");

WHEREAS, the Mortgage Loan will be made in the manner provided in a building loan agreement, by and between the Owner and the Trustee hereinafter described, and will be evidenced by a deed of trust note, executed by the Owner to the Trustee, secured by a deed of trust and initially endorsed for insurance by the Federal Housing Administration of the United States of America ("FHA") pursuant to the provisions of Section 221(d)(4) of the National Housing Act, as amended, in accordance with a commitment for insurance of advances evidencing the obligation of FHA to insure advances

to the Owner under the building loan agreement (the "Mortgage Insurance");

WHEREAS, in order to provide the moneys for the making of the Mortgage Loan, this City Council has determined that the City shall issue its City of Modesto Mortgage Revenue Bonds, Series 1983 (FHA Insured Mortgage Loan -- Stonebridge Apartments Project), in a principal amount not to exceed $10,000,000 (the "Bonds");

WHEREAS, pursuant to Section 103(k) of the Internal Revenue Code, as amended (the "Code"), the Bonds are required to be approved, following a public hearing, by an elected representative of the issuer of the Bonds and an elected representative of the governmental unit having jurisdiction over the area in which the Project is located;

WHEREAS, the Project will be located wholly within the geographic jurisdiction of the City;

WHEREAS, this City Council is the elected legislative body of the City;

WHEREAS, the City caused a notice to appear in the The Modesto Bee, which is a newspaper of general circulation in the City, on October 8, 1983, to the effect that a public hearing would be held by this City Council on October 25, 1983, regarding the issuance of the Bonds and the nature and location of the Project; and

WHEREAS, this City Council held the said public hearing on such date, at which time an opportunity was provided to present arguments both for and against the issuance of the Bonds and the nature and location of the Project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto, as follows:

1. This City Council does hereby find and declare that the above recitals are true and correct.

2. Pursuant to Section 103(k) of the Code, this City Council hereby approves the issuance of the Bonds to provide financing for the Project. It is the purpose and intent of this City Council that this resolution constitute approval of the issuance of bonds by the applicable elected representative of the issuer and the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 103(k).

3. Pursuant to the Act, the Bonds shall be issued in an aggregate principal amount not to exceed ten million dollars ($10,000,000). The purposes for which the proceeds of the Bonds shall be expended shall be the making of the Mortgage Loan and such other purposes as are set forth in the proposed form of indenture (presented to this meeting) to secure the Bonds (the "Indenture").

4. Security Pacific National Bank is hereby designated and selected trustee ("Trustee") for the City and the holders of the Bonds, with the duties and powers of such trustee as set forth in the Indenture.

5. Said proposed form of Indenture is hereby approved, and the City Manager and City Clerk (the "Designated Officers") are hereby authorized and directed for and in the name and on behalf of the City, to execute and deliver to the Trustee said Indenture in said form with such changes therein as the officers executing the same may approve, such approval to be conclusively evidenced by the execution and delivery thereof by such officers. The principal amount, date, maturity dates, interest rates, interest payment date, denominations, form, registration privileges, manner of execution, place of payment, terms of redemption and other terms of the Bonds shall be as provided in said Indenture as finally executed; provided, however, that the aggregate principal amount of the Bonds shall not exceed ten million dollars ($10,000,000) and the Bonds shall bear interest at a rate or rates producing a net interest cost which does not exceed ten percent (10%) per annum.

6. The form of the Bonds set forth in the Indenture is hereby approved. The Mayor and the City Clerk are hereby authorized and directed to execute manually or by facsimile signature, in the name and on behalf of the City and under its seal, Bonds in an aggregate principal amount not to exceed the principal amount authorized by the Indenture, all in accordance with the Indenture and in the form set forth in the Indenture. The Bonds, when so executed, shall be delivered to the Trustee for authentication. The Trustee is hereby requested and directed to authenticate the Bonds by executing the Trustee's certification of authentication and registration appearing thereon, and to deliver the Bonds, when duly executed and authenticated, to the Underwriter hereinafter described, in accordance with written instructions executed on behalf of the City by the Mayor, which instructions said officer is hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver to the Trustee. Such instructions shall provide for the delivery of the Bonds

to the Underwriter in accordance with the bond purchase agreement hereinafter approved, upon payment of the purchase price thereof as specified by said bond purchase agreement.

7. The proposed form of bond purchase agreement (presented to this meeting), between the City and Stone & Youngberg (the "Underwriter") is hereby approved, and the Designated Officers are hereby authorized and directed to evidence the City's acceptance of an offer made thereby by executing said agreement and delivering a copy thereof to the Underwriter and to the Owner. The Designated Officers are further authorized to approve on behalf of the City any amendments or modifications to said agreement as are in furtherance of the purposes of this Resolution and are acceptable to the Owner, such approval to be conclusively evidenced by the execution and delivery thereof by such officers.

8. The proposed form of official statement relating to the Bonds (presented to this meeting) is hereby approved. The City Manager is hereby authorized, for and in the name and on behalf of the City, to execute an official statement, in substantially said form, with such changes therein as the officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof by such officer. The Underwriters are hereby authorized to distribute copies of said official statement, as finally executed, to persons who may be interested in the purchase of the Bonds and are directed to deliver such copies to all actual purchasers of the Bonds.

9. The proposed form of development agreement (presented to this meeting), among the City, the Trustee and the Owner, is hereby approved, and the Designated Officers are hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver said agreement, in substantially said form, with such changes therein as the officers executing the same may require or approve, such approval to be conclusively evidenced by the execution thereof by such officers.

10. The proposed form of financing and regulatory agreement (presented to this meeting), between the City and the Owner, is hereby approved, and the Designated Officers are hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver said agreement, in substantially said form, with such changes therein as the officers executing the same may require or approve, such approval to be conclusively evidenced by the execution thereof by such officers.

11. The proposed form of mortgage servicing agreement (presented to this meeting), between the Trustee and Transamerica Mortgage Company, is hereby approved with such changes as any Designated Officer may hereafter approve, such approval to be evidenced by the execution of the Indenture, and the Trustee is hereby authorized to execute and deliver said agreement as Trustee under the Indenture.

12. The Designated Officers and any Deputies thereof are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate the issuance, sale and delivery of the Bonds and otherwise to effectuate the purposes of this Resolution, and such actions previously taken by such officers are hereby ratified and approved.

13. This Resolution shall take effect immediately upon its passage.

ADOPTED this 25th day of October, 1983, by the following vote:

AYES: Councilmembers: Acting Mayor Bright, Muratore, Patterson, Sutton

NOES: Councilmembers: Lang, Whiteside

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

# CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the members of the City Council of the City of Modesto duly, regularly and legally held at the regular meeting place thereof on October 25, 1983, of which meeting all of said members had due notice and at which at least a majority thereof were present;

At said meeting said resolution was adopted by the following vote:

| | | |
|---|---|---|
| Ayes: | Councilmembers: | Acting Mayor Bright, Muratore, Patterson, Sutton |
| Noes: | Councilmembers: | Lang, Whiteside |
| Absent: | Councilmembers: | Mayor Mensinger |

I have carefully compared the foregoing with the original minutes of said meeting on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: November 14, 1983.

Norrine Coyle
City Clerk

[SEAL]

MODESTO CITY COUNCIL
RESOLUTION NO. 83-686

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 78-802 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(197).", AS PREVIOUSLY AMENDED BY RESOLUTION NO. 80-276.

WHEREAS, the City Council, by Ordinance No. 1760-C.S., which was introduced on August 7, 1978, finally adopted on August 14, 1978, and which became effective on September 13, 1978, amended Section 7-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(197), property located on the northeast corner of Standiford Avenue and San Clemente Avenue in the City of Modesto to allow a 134-unit two-story apartment complex, and

WHEREAS, City Council Resolution No. 78-802, which was adopted on August 7, 1978, approved a development plan for P-D(197) and contained the conditions of approval thereof, and

WHEREAS, the City Council by Ordinance No. 1932-C.S., which was introduced on March 25, 1980, and which became effective on May 1, 1980, approved an amendment to P-D(197) to allow an 84 unit condominium project, and

WHEREAS, the City Council by Resolution No. 80-276, amended the development schedule for Planned Development Zone, P-D(197), and specified that construction shall be accomplished in one phase to begin on or before January 1, 1982, and completed not later than January 1, 1984, and

WHEREAS, by Resolution No. 81-261, adopted on December 21, 1981, the Planning Commission granted an extension of time to the development schedule to provide that construction was to begin on or before January 1, 1983, and be completed by not later than January 1, 1985, and

WHEREAS, an application for an amendment to P-D(197) was filed on July 28, 1983, by CDS Development of California, Inc. to allow a 136 unit two-story apartment complex, and

WHEREAS, a public hearing to consider the proposed amendment was held by the Planning Commission on September 6, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Planning Commission, by Resolution No. 83-143, found and determined that the proposed amendment to Planned Development Zone, P-D(197) is not required by public necessity, convenience and general welfare, and denied said application of CDS Development, and

WHEREAS, by letter dated September 8, 1983, an appeal was filed by Mid-Valley Engineering on behalf of CDS Development, to the decision of the Planning Commission denying the requested amendment to P-D(197) to allow a 136 unit two-story apartment complex, and

WHEREAS, said appeal was set for public hearing before the Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on October 11, 1983, and continued to October 25, 1983, at 7:30 p.m., at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, after hearing said evidence, the Council finds and determines that the requested amendment to permit construction of a 120 unit two-story apartment complex is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed density conforms to the neighborhood prototype in the Modesto Urban Area General Plan.

2. The P-D zone and conditions help insure a degree of compatibility consonant with surrounding properties.

and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a Negative Declaration in regard to the environmental impact of the requested amendment to Planned Development Zone, P-D(197),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 78-802 entitled "A Resolution Approving a Development Plan for Planned Development Zone, P-D(197)" as previously amended by Resolution No. 80-276, are hereby further amended to read as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(197) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan (and floor plans) titled "CDS Development of California" as amended in red, stamped approved by the City Council on October 25, 1983.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   6 foot board and masonry pilaster fence along all side and rear property lines.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Engineering Services to complete Standiford Avenue and San Clemente Avenue to major and collector street standards prior to occupancy or upon demand by the City, whichever occurs first.

6. The required public street improvements shall be constructed prior to occupancy of any structures.

7. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Engineering Services.

8. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Engineering Services.

9. Drainage shall be provided as required by the Director of Engineering Services.

10. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Engineering Services.

11. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

12. All utilities shall be underground and cable television service shall be stubbed into all units.

13. All signs shall comply with the sign requirements of the R-3 Zone.

14. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

15. Prior to issuance of a building permit, the developer shall show on the plans submitted to Building Inspection all fire hydrants as required by the Fire Chief. All hydrants required by the Fire Chief shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(197):

Construction to begin on or before July 1, 1985 and be completed by July 1, 1986.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(197).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-687

A RESOLUTION OVERRULING THE RECOMMENDATION OF THE PLANNING COMMISSION TO REPEAL P-D(197) AND REZONE TO R-1 PROPERTY LOCATED AT THE NORTHEAST CORNER OF STANDIFORD AVENUE AND SAN CLEMENTE AVENUE IN THE CITY OF MODESTO.

WHEREAS, the City Council by Ordinance No. 1760-C.S., which was introduced on August 7, 1978, finally adopted on August 14, 1978, and which became effective on September 13, 1978, rezoned from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(197), for a two-story, 134 unit apartment complex, property located at the northeast corner of Standiford Avenue and San Clemente Avenue, and

WHEREAS, City Council Resolution No. 78-802, adopted on August 7, 1978, approved the development plan and schedule for Planned Development Zone, P-D(197), and

WHEREAS, the City Council by Ordinance No. 1932-C.S., which was introduced on March 25, 1980, and which became effective on May 1, 1980, approved an amendment to P-D(197) to allow an 84 unit condominium project, and

WHEREAS, the City Council by Resolution No. 80-276, amended the development schedule for Planned Development Zone, P-D(197), and specified that construction shall be accomplished in one phase to begin on or before January 1, 1982, and completed not later than January 1, 1984, and

WHEREAS, by Resolution No. 81-261, adopted on December 21, 1981, the Planning Commission granted an extension of time to the development schedule to provide that construction was to begin on or before January 1, 1983, and be completed by not later than January 1, 1985, and

WHEREAS, construction was not started in accordance with the amended development schedule and on August 15, 1983, by Resolution No. 83-123, the Planning Commission initiated proceedings to repeal or modify P-D(197) and set September 6, 1983, as the time for a public hearing, and

WHEREAS, a public hearing was held by the Planning Commission on September 6, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Planning Commission by Resolution No. 83-144, adopted on September 6, 1983, found and determined that Planned Development Zone, P-D(197), was not required by public necessity, convenience, or general welfare for the reasons set forth in Planning Commission Resolution No. 83-144, and

WHEREAS, by Resolution No. 83-144, adopted on September 6, 1983, the Planning Commission recommended to the City Council that Section 7-3-9 of the Zoning Map of the City of Modesto be amended to repeal Planned-Development Zone, P-D(197), to Low Density Residential Zone, R-1, property located at the northeast corner of Standiford Avenue and San Clemente Avenue, in the City of Modesto, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto, at 7:30 p.m. on October 11, 1983, and continued to October 25, 1983, at 7:30 p.m., at which time evidence, both oral and documentary, was taken and introduced, and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a Negative Declaration in regard to the environmental impact of the requested amendment to Planned Development Zone, P-D(197),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the recommendation of the Planning Commission to repeal Planned Development Zone, P-D(197) and rezone to R-1, property located at the northeast corner of Standiford Avenue and San Clemente Avenue in the City of Modesto, is not required by public necessity, convenience and general welfare for the following reasons:

1. The applicant has submitted a revised plan for development of the site.

2. The applicant has indicated a desire and ability to start construction in the near future.

BE IT FURTHER RESOLVED that the recommendation of the Planning Commission is hereby overruled.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(197).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1983, by

Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside
Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-688

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE REMODELING OF LEGION PARK RESTROOM

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the remodeling of Legion Park restroom facility to allow access for handicapped persons copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 8, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-689

A RESOLUTION ACCEPTING THE BID OF ANTHONY CARTISANO & SONS FOR CONSTRUCTION OF CURB RAMPS - PROJECT NO. 5

WHEREAS, Resolution No. 83-615, adopted by the Council of the City of Modesto on September 27, 1983 , approved the plans and specifications for the construction of curb ramps - Project No. 5
and authorized the calling for bids; and

WHEREAS, the bids received for the construction of curb ramps - Project No. 5
were opened at 11:00 a.m. on October 18, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Anthony Cartisano & Sons in the amount of $30,866
be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Anthony Cartisano & Sons in the amount of $30,866
be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October , 1983 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-690

A RESOLUTION ACCEPTING THE CONSTRUCTION OF IMPROVEMENTS AT OAKDALE AND SYLVAN ROADS AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Engineering that the construction cf improvements at Oakdale and Sylvan Roads has been ccmpleted by Industrial Electric Company

in accordance with the contract agreement dated February 15, 1983.

NOW, THEREFORE, BE IT RESOLVED that the construction of improvements at Oakdale and Sylvan Roads be accepted from said contractor, Industrial Electric Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $99,983 as provided in the contract, be authorized.

The foregcing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-691

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TWO POLICE TRAFFIC SCOOTERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing two Police traffic scooters

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 15, 1983, at 3:10 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-692

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING THREE COMPACTORS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the furnishing of three compactors copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 15, 1983, at 3:20 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-693

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE SEWER RODDER TRUCK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing one sewer rodder truck

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 15, 1983, at 3:30 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-694

A RESOLUTION ACCEPTING THE STATE OF CALIFORNIA GRANT FOR $6,142 FOR SECURITY LIGHTING AT SONOMA NEIGHBORHOOD PARK

WHEREAS, at their meeting of September 6, 1983, the City Council passed a resolution indicating they would accept a grant funded under the Roberti-Z'berg Grant Program for the installation of security lighting at Sonoma Neighborhood Park; and

WHEREAS, the City of Modesto has been notified that its grant application for installation of security lighting at Sonoma Neighborhood Park has been approved.

NOW, THEREFORE BE IT RESOLVED that the City of Modesto shall accept the State of California grant in the amount of $6,142 for the installation of security lighting at Sonoma Neighborhood Park.

BE IT FURTHER RESOLVED that the execution of the grant acceptance by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Mayor Mensinger |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-695

A RESOLUTION AMENDING THE ANNUAL BUDGET OF THE CITY OF MODESTO FOR FISCAL YEAR 1983-84 TO PROVIDE FINANCING FOR SECURITY LIGHTING AT SONOMA NEIGHBORHOOD PARK.

WHEREAS, the Council of the City of Modesto has accepted a grant of $6,142 from the State of California for installation of security lighting at Sonoma Neighborhood Park, and

WHEREAS, it is necessary to amend the Annual Budget of the City of Modesto for fiscal year 1983-84 to estimate the grant revenue and appropriate expenditures,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following amendments be made to the Annual Budget of the City of Modesto for fiscal year 1983-84:

1. The amount of $27,451 now estimated as revenue in Account No. 270, State Grants, of Fund No. 13, Special Fund for Capital Outlay, be increased by $6,142 to $33,593.

2. The amount of $3,900 now appropriated in Account No. 6426, Sonoma Neighborhood Park, of Fund No. 13, Special Fund for Capital Outlay, be increased by $6,142 to $10,042.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1983,

by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-696

A RESOLUTION AUTHORIZING APPLICATION FOR THIRD YEAR FUNDING FOR ORGANIZED JUVENILE OFFENDERS' DIVERSION PROGRAM.

WHEREAS, the City of Modesto has undertaken a certain project designated "Organized Juvenile Offenders Diversion Program" funded in part from funds made available through the "Juvenile Justice and Delinquency Prevention Act (PL 93-415)", administered by the Office of Criminal Justice Planning (hereafter referred to as OCJP),

NOW, THEREFORE, BE IT RESOLVED that Garth Lipsky, City Manager of the City of Modesto, is authorized on its behalf to submit application for third year funding for Organized Juvenile Offenders' Diversion Program to OCJP and is authorized to execute on behalf of the City of Modesto the grant award for law enforcement purposes including any extensions or amendments thereof.

BE IT FURTHER RESOLVED that the applicant agrees to provide all matching funds required for said project (including any extension or amendment thereof) under the "Juvenile Justice and Delinquency Prevention Act of 1974 (PL 93-415)" and the rules and regulations of OCJP and the Law Enforcement Assistance Administration and that cash will be appropriated as required thereby.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant law enforcement expenditures controlled by this body.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-697

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** RECREATION SYSTEMS, INC. TO DEVELOP MASTER PLAN FOR SIPHERD NEIGHBORHOOD PARK

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Recreation Systems, Inc. to develop master plan for Sipherd Neighborhood Park

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 25th **day of** October, **19**83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-698

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GEORGE L. PAGE FOR CATA CONSULTING SERVICE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** George L. Page for CATA consulting service

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 25th **day of** October**, 19**83**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-699

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE MODESTO IRRIGATION DISTRICT THAT WOULD OBLIGE THE CITY OF MODESTO TO FURNISH CERTAIN ENGINEERING SERVICES INCIDENT TO THE GROUND WATER MANAGEMENT STUDY

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Modesto Irrigation District that would oblige the City of Modesto to furnish certain engineering services incident to the Ground Water Management Study

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 25th **day of** October**, 19**83**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-700

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON PROPOSED FEE ADJUSTMENTS RELATING TO LAND DEVELOPMENT, STREET ENCROACHMENT PERMITS, BUILDING INSPECTION, SEWER AND WATER INSPECTION REIMBURSEMENT AGREEMENTS, AND DOCUMENT REPRODUCTION

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** November 8, 1983 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** proposed fee adjustments relating to land development, street encroachment permits, building inspection, sewer and water inspection reimbursement agreements, and document reproduction.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 25th **day of** October**, 19**83**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Lang, Muratore, Patterson, Sutton, Whiteside, Acting Mayor Bright |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Mayor Mensinger |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-701

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (342).

WHEREAS, a verified application for an amendment to Section 15-3-9 of the Zoning Map was filed by Resource Development on August 1, 1983, to reclassify from Planned Development Zone, P-D(141) to Planned-Development Zone, P-D, the following described property:

All the certain real property situate in the County of Stanislaus, State of California, lying in the East half of the North half of the southeast quarter of the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, more particularly described as follows:

Beginning at the Northeast corner of the East half of the North half of the Southeast quarter of the Northeast quarter of said Section 15, said corner being the centerline intersection of Floyd Avenue and Oakdale Road; thence South 89°56'40" West, along the East-West quarter quarter section line, and the centerline of said Floyd Avenue, 287.60 feet to the Point of Beginning of this description; thence continuing South 89°56'40" West, along said East-West quarter section line and centerline of Floyd Avenue, 368.67 feet to the Northwest corner of the East half of the North half of the Southeast quarter of the Northeast quarter of said Section 15; thence South along the West line of the East half of the North half of the Southeast quarter of the Northeast quarter of Section 15, 660.42 feet to the East-West quarter quarter quarter section line of said Section 15; thence North 89°57'35" East, along said quarter quarter quarter line, 368.67 feet; thence North 660.54 feet to the said East-West quarter quarter section line and the centerline of Floyd Avenue and the Point of Beginning of this description.

Containing: 5.59 acres,

and

WHEREAS, after public hearing held on September 6, 1983, and continued to October 10, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. Multiple residential development is called for in the Floyd Neighborhood Zoning and Development Plan and the 97 units are reasonably close to the density limitations of the Floyd Neighborhood Plan.

2. The site design conforms to the City's development standards.

and

WHEREAS, after a public hearing held on November 1, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Resource Development for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2223-C.S. on the 1st day of November, 1983, reclassifying the above-described property from Planned Development Zone, P-D(141) to Planned-Development Zone, P-D (342).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(342) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan (and floor plans) titled "Oak Haven Condominiums" as amended in red, stamped approved by the Planning Commission on October 10, 1983.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. seven foot board fence with decorative masonry pilasters along the south and west property lines.

   b. seven foot decorative masonry wall along the east property line.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall complete street improvements on Floyd Avenue to collector street standards as required by the Director of Engineering Services.

6. The required public street improvements shall be constructed prior to occupancy of any structures.

7. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Engineering Services.

8. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Engineering Services.

9. Irrigation lines shall be removed or relocated as required by the Modesto Irrigation District and the Director of Engineering Services. Easements for irrigation lines to remain shall be dedicated.

10. Drainage shall be provided as required by the Director of Engineering Services.

11. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Engineering Services.

12. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

13. All utilities shall be underground and cable television service shall be stubbed into all units.

14. All signs shall comply with the sign requirements of the R-2 Zone.

15. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

16. Prior to City Council approval of a final subdivision map, the subdivider shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facility and private property improvement and maintenance in accordance with the approved plan.

17. Prior to issuance of a building permit, the developer shall show on the plans submitted to Building Inspection all fire hydrants as required by the Fire Chief. All hydrants required by the Fire Chief shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (342):

That the entire construction program be accomplished in one phase, construction to begin on or before December 1, 1985, and completion to be not later than December 31, 1986.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (342) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brooks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-702

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RESOURCE DEVELOPMENT)

WHEREAS, on November 1, 1983, the City Council introduced Ordinance No. 2223-C.S. giving approval to a project relating to an amendment to Section Map 15-3-9 of the Zoning Map of the City of Modesto to reclassify a portion of Planned Development Zone, P-D(141) to Planned Development Zone, P-D(342), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section 15-3-9 of the Zoning Map of the City of Modesto to reclassify a portion of Planned Development Zone, P-D(141) to Planned Development Zone, P-D(342).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 703

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (343).

WHEREAS, a verified application for an amendment to Section 15-3-9 of the Zoning Map was filed by Resource Development on August 1, 1983, to reclassify from Planned Development Zone, P-D(141) to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the County of Stanislaus State of California, lying in the East half of the North half of the Southeast quarter of the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, more particularly described as follows:

Beginning at the Northeast corner of the East half of the North half of the Southeast quarter of the Northeast quarter of said Section 15, said corner being the centerline intersection of Floyd Avenue and Oakdale Road; thence South 89°56'40" West, along the East West quarter quarter section line and the centerline of Floyd Avenue, 287.60 feet; thence South 660.54 feet to the East West quarter quarter quarter section line of said Section 15; thence North 89°57'35" East along said quarter quarter quarter line, 295.00 feet to the East line of said Section 15, and the centerline of Oakdale Road; thence North 0°38'30" West along said East line of Section 15, and said centerline of Oakdale Road, 660.63 feet to the Point of Beginning of this description.

Containing: 4.42 acres,

and

WHEREAS, after public hearing held on September 6, 1983, and continued to October 10, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that the rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The combination of land uses represents a reasonable land use pattern considering the existing and potential surrounding developments including commercial adjoining to the south, across Oakdale to the east and the newly established neighborhood shopping center across Floyd Avenue to the north.

2. The revised development plan assures compatibility between the diverse land uses within the development as well as the neighboring properties.

and

WHEREAS, after a public hearing held on November 1, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Resource Development for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2229-C.S. on the 1st day of November, 1983, reclassifying the above-described property from Planned Development Zone, P-D(141) to Planned-Development Zone, P-D(343).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(343) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Oak Haven P-O, Commercial, Mini-storage" approved by the Planning Commission on October 10, 1983.

2. Prior to issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the west property line.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. Seven foot decorative masonry wall along the west and south property lines and along the north line of the mini-storage area.

   b. Minimum seven-foot decorative masonry wall along the Oakdale Road frontage of the mini-storage area.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall complete street improvements on Oakdale Road and Floyd Avenue to major and collector street standards respectively as required by the Director of Engineering Services.

6. The required public street improvements shall be constructed prior to occupancy of any structures.

7. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Engineering Services.

8. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Engineering Services.

9. Irrigation lines shall be removed or relocated as required by the Modesto Irrigation District and the Director of Engineering Services. Easements for irrigation lines to remain shall be dedicated.

10. Drainage shall be provided as required by the Director of Engineering Services.

11. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Engineering Services.

12. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

13. The developer shall, in a manner approved by the City Attorney, provide a vehicular accessway for on-site traffic circulation for the benefit of proposed parcels, substantially as shown in red on the plot plan.

14. Signs shall be permitted as follows:

    a. for the office complex signs as permitted in the P-O Zone

    b. for the service station and mini-warehouse signs as permitted in the H-1 Zone

15. Prior to issuance of a building permit, the developer shall show on the plans submitted to Building Inspection all fire hydrants as required by the Fire Chief. All hydrants required by the Fire Chief shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (343):

That the entire construction program be accomplished in one phase, construction to begin on or before December 1, 1985, and completion to be not later than December 1, 1986.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (343) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brooks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-704

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RESOURCE DEVELOPMENT)

**WHEREAS, on** November 1, **1983, the City Council** introduced Ordinance No. 2224-C.S. **giving approval to a project relating to** an amendment to Section Map 15-3-9 of the Zoning Map of the City of Modesto to reclassify a portion of Planned Development Zone, P-D(141) to Planned Development Zone, P-D(343), **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section 15-3-9 of the Zoning Map of the City of Modesto to reclassify a portion of Planned Development Zone, P-D(141) to Planned Development Zone, P-D(343).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-705

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING THREE SEDANS AND FIVE PICKUPS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of three sedans and five pickups

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 22, 1983, at 3:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-706

A RESOLUTION ACCEPTING THE BID OF SIERRA ROOFING FOR THE ROOF REPAIR OF PARKING AND TRAFFIC BUILDING AT THE CORPORATION YARD - BLOCK 436

WHEREAS, Resolution No. 83-654, adopted by the Council of the City of Modesto on October 11, 1983 , approved the plans and specifications for the roof repair of the Parking and Traffic building at the Corporation Yard - Block 436 and authorized the calling for bids; and

WHEREAS, the bids received for the roof repair of the Parking and Traffic Building at the Corporation Yard - Block 436 were opened at 11:00 a.m. on October 25, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Sierra Roofing in the amount of $11,700 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Sierra Roofing in the amount of $11,700 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November , 19 83, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-707

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR THE CONSTRUCTION OF STREETS ADJACENT TO ORCHARD NEIGHBORHOOD PARK

WHEREAS, Resolution No. 83-653 adopted by the Council of the City of Modesto on October 11, 1983 , approved the plans and specifications for the construction of streets adjacent to Orchard Neighborhood Park and authorized the calling for bids; and

WHEREAS, the bids received for the construction of streets adjacent to Orchard Neighborhood Park were opened at 11:05 a.m. on October 25, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of The Flintkote Company in the amount of $61,650 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Flintkote Company in the amount of $61,650 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November , 1983 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-708

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** BRIGGSMORE AVENUE STREET LIGHTING

**WHEREAS,** a report has been filed by the Director of Engineering that the construction of Briggsmore Avenue street lighting

has been completed by Walther Electric Co., Inc.

in accordance with the contract agreement dated February 22, 1983.

**NOW, THEREFORE, BE IT RESOLVED** that the construction of Briggsmore Avenue street lighting

be accepted from said contractor, Walther Electric Co., Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $28,400 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-709

AMENDED
**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** CONCO-WEST FOR STORM DRAIN IMPROVEMENTS ON 4TH STREET BETWEEN "J" AND "K" STREETS

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the** amended **agreement between the City of Modesto and** Conco-West for storm drain improvements on 4th Street between "J" and "K" Streets, to allow final payment and still allow him to pursue a claim for $1,386

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November**, 19**83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-710

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE REGENTS OF THE UNIVERSITY OF CALIFORNIA (COOPERATIVE EXTENSION) FOR THE LEASE OF A PORTION OF THE LINCOLN SCHOOL SITE FOR A COMMUNITY GARDEN

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** the Regents of the University of California (Cooperative Extension) for the lease of a portion of the Lincoln School site for a community garden

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November**, 19**83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-711

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** CENTRAL VALLEY COURIER SERVICE, INC. ALLOWING THEM TO CONDUCT COURIER SERVICES AT THE AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Central Valley Courier Service, Inc. allowing them to conduct courier services at the Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-712

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** REED LEASING AND RENTAL, INC. DBA AVIS RENT-A-CAR SYSTEM TO ALLOW THEM TO PROVIDE RENTAL CAR SERVICE AT THE AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Reed Leasing and Rental, Inc., dba Avis Rent-A-Car System to allow them to provide rental car service at the Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November**, 19** 83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-713

**A RESOLUTION APPROVING** AN ASSIGNMENT OF LEASE FROM NATHAN J. AND EUNICE M. PROVINCE TO PACIFIC AIRCRAFT SERVICES, INC.

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the** asignment of lease from Nathan J. and Eunice M. Province to Pacific Aircraft Services, Inc.

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said** assignment **by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November**, 19** 83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-714

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** PACIFIC AIRCRAFT SERVICES, INC. TO OPERATE AS A FIXED-BASE OPERATION AT THE AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Pacific Aircraft Services, Inc. to operate as a fixed-base operation at the Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November**, 19**83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-715

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** DELLA FARRELL FOR THE ACQUISITION OF HER SHARE OF A BICYCLE EASEMENT AT ENCINA AND CONEJO

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Della Farrell for the acquisition of her share of a bicycle easement at Encina and Conejo

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November**, 19** 83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-716

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** DELLA FARRELL AS CONSERVATOR FOR PAUL LAGOMARSINO FOR THE ACQUISITION OF HIS SHARE OF A BICYCLE EASEMENT AT ENCINA AND CONEJO

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Della Farrell as conservator for Paul Lagomarsino for the acquisition of his share of a bicycle easement at Encina and Conejo

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November**, 19** 83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-717

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GERTRUDE W. SIVILS FOR THE ACQUISITION OF HER SHARE OF A BICYCLE EASEMENT AT ENCINA AND CONEJO

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Gertrude W. Sivils for the acquisition of her share of a bicycle easement at Encina and Conejo

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-718

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** PATRICK M. LYONS FOR THE LEASE OF AIRPORT TERMINAL SPACE TO BE DEVELOPED INTO A FOOD CONCESSION

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Patrick M. Lyons for the lease of Airport terminal space to be developed into a food concession

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-719

A RESOLUTION AMENDING THE SCHEDULE OF FEES AND CHARGES FOR WATER SERVICE IN THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 83-397.

WHEREAS, Sections 11-1.04, 11-1.05, 11-1.06, 11-1.09 and 11-1.14 of the Modesto Municipal Code, provide for a schedule of fees and charges for water service to be established and set by the Council from time to time by resolution, and

WHEREAS, the Council has previously adopted such a schedule of fees and charges for water service, and

WHEREAS, the Council desires to revise said schedule of fees and charges for water service to allow a $50 credit in the water main connection fee for builders and developers who voluntarily install fire sprinkler systems in single family dwellings and duplexes,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following revised schedule of fees and charges for water service:

SCHEDULE OF FEES AND CHARGES
FOR WATER SERVICES

| Modesto Municipal Code Reference | Name of Fee or Charge and Itemization | Fee or Charge |
|---|---|---|
| 11-1.04 | Water service installation charges | |
| | 1" service | $ 525.00 |
| | 1-1/2" service | 535.00 |
| | 2" service | 590.00 |
| | Service larger than 2" | Cost |
| 11-1.04 | Additional Charge for each water service installation involving pavement removal and/or replacements. | 220.00 |
| 11-1.05(a) | Water main connection charges in territory within City for each square foot served. | .10 |
| | Credit for volunteer installation of fire sprinklers in single-family dwellings and duplexes. | 50.00 |
| 11-1.05(b) | Water main connection charges in territory outside the City for each square foot served. | .10 |
| | Credit for volunteer installation of fire sprinklers in single-family dwellings and duplexes. | 50.00 |
| 11-1.05(c) (4) | Fire Hydrant installation, each | 1,210.00 |
| | Fire hydrant line to main per lineal foot | 33.00 |
| | Additional charge for each hydrant installation involving pavement removal and/or replacement. | 275.00 |
| 11-1.05(d) (3) | Inspection fee to determine portion of parcel to be served by a water main connection, fee per parcel. | 16.00 |
| 11-1.06(e) | Meter installation cost | |
| | Each 1" meter | 170.00 |
| | Each 1" meter with traffic lid | 205.00 |
| | Each 1-1/2" meter | 365.00 |
| | Each 1-1/2" meter with traffic lid | 405.00 |
| | Each 2" meter | 425.00 |
| | Each 2" meter with traffic lid | 465.00 |
| | Each meter over 2" | Cost |
| 11-1.09 | Fire hydrant use service charge for each permit issued. | 22.00 |
| 11-1.14(e) | Water bill delinquent charge. | 2.00 |
| 11-1.14(e) | Water disconnection charge. | 6.00 |
| 11-1.14(e) | Water reconnection charge. | 6.00 |

BE IT FURTHER RESOLVED that the above schedule of fees and charges shall be effective November 1, 1983, and shall remain in effect until revised by the City Council.

BE IT FURTHER RESOLVED that Resolution No. 83-397, adopted on June 21, 1983, is hereby rescinded effective October 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-720

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** NANCY M. YOUNG, EXECUTIVE DIRECTOR, DOWNTOWN IMPROVEMENT DISTRICT TO PROVIDE PROFESSIONAL SERVICES AS AN INDEPENDENT CONTRACTOR

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Nancy M. Young, Executive Director, Downtown Improvement District, to provide professional services as an independent contractor

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 1st **day of** November, **19** 83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-721

A RESOLUTION ACCEPTING A FEDERAL LAND AND WATER CONSERVATION FUND GRANT FOR CONSTRUCTION OF RESTROOM/UTILITY BUILDING AT TUOLUMNE RIVER REGIONAL PARK

BE IT RESOLVED by the Council of the City of Modesto that the acceptance of Federal Land and Water Conservation Fund Grant in the amount of $25,200, for construction of restroom/utility building at Tuolumne River Regional Park be, and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of the acceptance of the grant by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-722

A RESOLUTION APPROVING THE REQUEST FOR REFUND TO E.F. HUTTON & CO. OF OVERPAYMENT OF BUSINESS IMPROVEMENT AREA TAX IN THE AMOUNT OF $1,367.81

BE IT RESOLVED by the Council of the City of Modesto that the request of E.F. Hutton & Co. for refund of $1,367.81 for overpayment of Business Improvement Area Tax is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-723

A RESOLUTION AMENDING A CONDITIONAL USE PERMIT IN THE H-1 ZONE TO EXTEND BUSINESS HOURS FROM 10:00 P.M. TO 12:00 MIDNIGHT ON FRIDAYS AND SATURDAYS FOR THE MC HENRY STATION RESTAURANT LOCATED IN A PORTION OF THE RETAIL COMMERCIAL BUILDING AT 2501 MC HENRY AVENUE IN THE CITY OF MODESTO.

WHEREAS, on March 27, 1977, by Resolution No. 703, the Board of Zoning Adjustment granted a Conditional Use Permit in the H-1 Zone for construction of a retail commercial building on the west side of McHenry Avenue, south of Leveland Lane, and

WHEREAS, Condition Number 11 of said Resolution No. 703 specifies that business hours be limited to 7:00 a.m. to 10:00 p.m. daily, seven days a week, and

WHEREAS, the Stanislaus County Superior Court, in a Judgment in case No. 192924, Michael Tedesco and Joseph Tedesco vs. City of Modesto, et al., has commanded this Council to amend said Conditional Use Permit to extend the business hours of the McHenry Station Restaurant which is located in a portion of the retail commercial building at 2501 McHenry Avenue in the City of Modesto, for which building said Conditional Use Permit was granted,

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that Condition No. 11 of the Conditional Use Permit granted on March 27, 1977 by Board of Zoning Adjustment Resolution No. 703, is hereby amended to read as follows:

"11. That all businesses within the development shall be permitted to be open to the public only between the hours of 7:00 a.m. and 10:00 p.m. each day, seven (7) days a week, except that McHenry Station Restaurant shall be permitted to be open to the public until 12:00 midnight on Fridays and Saturdays."

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the provisions of Modesto Board of Zoning Adjustment Resolution No. 703 that are not amended or effected by the provisions of this resolution shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-724

A RESOLUTION AMENDING THE APPROVED ANNUAL TRANSPORTATION CLAIM FOR NON-MOTORIZED FUNDS FOR FISCAL YEAR 1983-84.

WHEREAS, the Council of the City of Modesto approved submission of the City of Modesto's 1983-84 Annual Transportation Claim to the Stanislaus Area Association of Governments (SAAG) by Resolution No. 83-362, dated June 7, 1983, and

WHEREAS, by Resolution No. 83-528, dated August 9, 1983, the City of Modesto's Annual Transportation Claim for Non-Motorized Funds was amended, and

WHEREAS, it is necessary to further amend the City of Modesto's claim for non-motorized funds to include one additional project, and to resubmit two projects,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto's 1983-84 Annual Transportation Claim for Non-Motorized Funds be amended to include the additional amount of $45,538.00 for the one additional project, and resubmit the amount of $13,950 for two projects.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that submission of said amended City of Modesto Annual Transportation Claim for Non-Motorized Funds for Fiscal year 1983-84 by the City of Modesto to the Stanislaus Area Association of Governments (SAAG) is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-725

A RESOLUTION ADOPTING A SCHEDULE OF FEES IN CONNECTION WITH ENCROACHMENT PERMITS AND INSPECTIONS REQUIRED BY THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 82-687.

WHEREAS, Section 5-6.08 of the Modesto Municipal Code provides that costs incurred by the City of Modesto for preparation of plans and specifications and inspections for construction of sewer laterals in the City shall be in accordance with a schedule of fees approved by the Council from time to time by resolution, and

WHEREAS, Section 7-1.108 of the Modesto Municipal Code provides that fees for services performed by the City of Modesto pursuant to Chapter 1 of Title VII of the Modesto Municipal Code relating to street improvements shall be in accordance with a schedule of fees approved by the City Council from time to time by resolution, and

WHEREAS, Section 7-2.14 of the Modesto Municipal Code provides that fees for inspection for the temporary closing of public ways in the City of Modesto shall be in accordance with a schedule of fees approved by the City Council from time to time by resolution, and

WHEREAS, Section 7-2.22 of the Modesto Municipal Code provides that fees for street paving performed by the City of Modesto shall be paid by permittees obtaining permits therefor from the City in accordance with a schedule of fees approved by the City Council from time to time by resolution, and

WHEREAS, Section 7-2.27 of the Modesto Municipal Code provides that fees for street cuts inspections performed by the City of Modesto shall be paid in accordance with a schedule of fees approved by the City Council from time to time by resolution, and

WHEREAS, Resolution No. 77-1081 entitled, "A Resolution Establishing Conditions for Issuing Encroachment Permits to Place Newspaper Racks in Sidewalk Planting Strips" in the City of Modesto, provides that inspection fees shall be charged in accordance with a schedule of fees approved by the City Council from time to time by resolution, and

WHEREAS, City staff has recommended an increase in the fees authorized by the above sections of the Modesto Municipal Code and Resolution No. 77-1081, and

WHEREAS, the Council held a public hearing on November 8, 1983 to consider the recommended increase in the fees authorized by the above sections of the Modesto Municipal Code and Resolution No. 77-1081,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the "Schedule of Encroachment Permit Fees", attached hereto as Exhibit "A", is hereby adopted as the fees to be charged for work or inspections performed by the City of Modesto in connection with encroachment permits.

BE IT FURTHER RESOLVED that this resolution shall become effective on and after January 1, 1984.

BE IT FURTHER RESOLVED that Resolution No. 82-687 adopted by the City Council on September 7, 1982, is hereby rescinded effective December 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

esolution #_____

EXHIBIT A

SCHEDULE OF ENCROACHMENT PERMIT FEES

| TYPE PERMIT(6) | BASIC PERMIT(5) & INSP. | STAKING(1) | CRACK FILLING | PAVING(1) | CODE OR RES. REFERENCE |
|---|---|---|---|---|---|
| . Curbs and curb cuts | $30.00/lot(7) | 1.70/l.f. | ---- | by City | 7-1.108 |
| !. Sidewalks | $16.00/lot(7) | ---- | ---- | ---- | 7-1.108 |
| !. Sewer Service from lot to sewer lateral | $20.00/each | ---- | $.40/l.f. of trench | $3.50/s.f.(9) | 5-6.08; 7-2.22 |
| !. Sewer Laterals(2) | $ 0.50/l.f. | 0.60/l.f. | $.40/l.f. of trench | $3.50/s.f.(9) | 5-6.08; 7-2.22 |
| ;. Newspaper Racks | $16.00/each | ---- | ---- | ---- | 7-1.108 |
| ;. Storm Drains (through curb) | $16.00/each | ---- | ---- | ---- | 7-1.108 |
| 1. Utilities(3) Major Const. | $40.00/each | ---- | $.40/l.f. of trench | $3.50/s.f.(9) | 7-2.27; 7-2.22 |
| 3. Utilities(3) Service and Repair | $26.00/each | ---- | included in permit fee | $3.50/s.f.(9) | 7-2.27; 7-2.22 |
| ). Street Closures (temporary) | $56.00/each | ---- | ---- | ---- | 7-2.14 |
| 10. Street Lights | $32.00/each | ---- | $.40/l.f. of trench | ---- | 7-1.108 |
| 11. Rock Wells or Storm Drain Connections | $32.00/each | ---- | $.40/l.f. of trench | ---- | 7-1.108 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 12. | Street Construction | $29.00/lot(7) | ---- | | | |
| 13. | Improvements(8) | $32.00/lot(7) | ---- | | ---- | 7-1.108 |
| 14. | Other work not listed(10) | To be calculated | ---- | $.40/L.F. of trench | ---- | 7-1.108 |
| | | | | ---- | ----- | 7-1.108 |

(1) Where no fee is shown, the work is to be performed by others as needed.

(2) Small laterals or extensions designed and drawn by the City shall pay an additional $1.00/l.f.

(3) Utility relocation required for City projects is not subject to a charge.

(4) (Deleted)

(5) Costs shall be paid for emergency or other work performed by City for public health and safety in addition to the following minimum charges:

| | |
|---|---|
| a. Cleanup or dust control | $155.00 per street |
| b. Temporary paving | $112.00 per street |
| c. Temporary barricades | $ 66.00 per each |

(6) Permits are required for all work done in all public rights of way, including public utility easements.

(7) For lots greater than 100' frontage, each 100' or part thereof is considered to be one "lot", (distance to be measured to nearest 100 feet).

(8) Improvements not otherwise listed such as water line extensions, irrigation lines, irrigation line replacements, storm drain lines.

(9) Chargeable only when paving is done by City.

(10) To be calculated by Director of Engineering in each instance, based on the actual cost of doing the work including overhead.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-726

A RESOLUTION ESTABLISHING A FILING FEE FOR APPLICATIONS FOR SUMMARY ABANDONMENT OF PUBLIC RIGHTS OF WAY OR EASEMENTS AND RESCINDING RESOLUTION NO. 81-997.

WHEREAS, this Council has previously established a filing fee for applications for summary abandonment of public rights of way or easements, and

WHEREAS, City staff has recommended an increase in the filing fee for applications for summary abandonment of public rights of way or easements, and

WHEREAS, the Council held a public hearing on November 8, 1983 to consider the recommended increase in the filing fee for applications for summary abandonment of public rights of way or easements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. A filing fee of $105.00 for each application filed with the City of Modesto for summary abandonment of a public right of way or easement is hereby established.

2. Said filing fee shall be paid at the same time as the application for summary abandonment is filed, except that public agencies shall be exempt from such fees.

3. All requests for summary abandonment shall be made to the Director of Engineering Services, who will consider the request and determine whether to refer it to the City Council for consideration.

4. In the event the Director of Engineering Services determines that a title report is required, it shall be furnished by the applicant prior to consideration by the City Council.

BE IT FURTHER RESOLVED that the fees established by this resolution shall become effective on and after January 1, 1984.

BE IT FURTHER RESOLVED that Resolution No. 81-997 adopted on November 10, 1981, is hereby rescinded effective December 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-727

A RESOLUTION ESTABLISHING FILING FEES FOR SUBDIVISION AND PARCEL MAPS AND RESCINDING RESOLUTION NO. 82-689

WHEREAS, Section 4-4.106 of the Modesto Municipal Code, provides that the Council, by resolution, shall establish filing fees for the processing of tentative and final subdivision and parcel maps and for other procedures required or authorized by Chapter 4 of Title IV of the Modesto Municipal Code. and

WHEREAS, City staff has recommended an increase in the filing fees for the processing of tentative and final subdivision and parcel maps, and other procedures, and

WHEREAS, the Council held a public hearing on November 8, 1983, to consider the recommended increases in the filing fees for the processing of tentative and final subdivision and parcel maps and other procedures,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. FEES. Filing fees for maps and procedures required and authorized by Chapter 4 of Title IV of the Modesto Municipal Code are hereby established as follows:

| | | |
|---|---|---|
| (a) | Reversion to acreage | $105.00 |
| (b) | Final parcel map checking fee | $215.00 |
| (c) | Final (subdivision) map checking fee for subdivisions of 10 or less lots | $215.00 |
| (d) | Final (subdivision) map checking fee for subdivisions of 10 or more lots | $215.00 |
| | Plus per each lot in excess of 10 | $ 4.00 |

| | | |
|---|---|---|
| (e) | Parcel map improvement plan check fee | $ 65.00 |
| (f) | Subdivision improvement plan check fee for subdivisions of 10 or less lots | $120.00 |
| (g) | Subdivision improvement plan check fee for subdivisions of 10 or more lots | $120.00 |
| | Plus each lot in excess of 10 | $ 2.00 |
| (h) | Property owners' association document checking fee | $100.00 |
| (i) | Certificate of compliance | $ 78.00 |
| (j) | Summary right of way abandonment | $105.00 |

SECTION 2. EFFECTIVE DATE.. The fees established by this resolution shall become effective on and after January 1, 1984.

SECTION 3. REPEALS. Resolution No. 82-689 adopted by the Council on September 7, 1982, is rescinded effective December 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-728

A RESOLUTION ESTABLISHING A BUILDING COMPLIANCE INSPECTION FEE AND RESCINDING RESOLUTION NO. 82-502.

WHEREAS, this Council has previously established a Building Compliance Inspection Fee which is charged by the Building Official for inspections to determine whether a building complies with the Housing Code and/or the Dangerous Buildings Code, and

WHEREAS, City staff has recommended an increase in the Building Compliance Inspection Fee to reflect increased costs, and

WHEREAS, the Council held a public hearing on November 8, 1983 to consider the recommended increase in the Building Compliance Inspection Fee,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a Building Compliance Inspection Fee of $35.00 shall be charged by the Building Official for inspections to determine whether a building complies with the Housing Code and/or the Dangerous Buildings Code.

BE IT FURTHER RESOLVED that the fees established by this resolution shall become effective on and after January 1, 1984.

BE IT FURTHER RESOLVED that Resolution No. 82-502 is hereby rescinded effective December 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-729

A RESOLUTION ESTABLISHING SIGN PERMIT FEES AND RESCINDING RESOLUTION NO. 83-8.

WHEREAS, Section 10-2.3503(i) of the Modesto Municipal Code authorizes the Council, by resolution, to establish sign permit fees, and

WHEREAS, City staff has recommended an increase in existing sign permit fees to reflect increased costs, and

WHEREAS, the Council held a public hearing on November 8, 1983, to consider the recommended increase in the existing sign permit fees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. PAINTED WALL SIGNS. The fee shall be Twenty and no/100ths ($20.00) Dollars for each painted wall sign.

SECTION 2. CHANGE OF COPY. The fee shall be Twenty and no/100ths ($20.00) Dollars for each sign on which there is a change of copy.

SECTION 3. ALL OTHER SIGNS. The fee shall be Twenty-five and no/100ths ($25.00) Dollars for all other signs.

SECTION 4. BUILDING AND ELECTRICAL PERMIT FEES. The above listed fees are in addition to fees incident to the issuance of building and electrical permits. Building and electrical permits are not required for painted wall signs or for change of copy.

SECTION 5. EFFECTIVE DATE. The fees established by this resolution shall become effective on and after January 1, 1984.

SECTION 6. REPEALS: Resolution No. 83-8 adopted by the Council on January 11, 1983, is hereby rescinded effective December 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

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MODESTO CITY COUNCIL
RESOLUTION NO. 83-730

A RESOLUTION ESTABLISHING A CERTIFICATE OF COMPLIANCE FEE PAYABLE BY PERSONS WHO REQUEST A CERTIFICATE THAT PROPERTY ABOUT TO BE SOLD COMPLIES WITH THE SUBDIVISION MAP ACT AND RESCINDING RESOLUTION NO. 82-131.

WHEREAS, Section 66499.35 of the Subdivision Map Act provides that any person owning real property may request a City to file a Certificate of Compliance with the County Recorder that the real property in question complies with all applicable provisions of the Subdivision Map Act and that the City may impose a reasonable fee to cover the cost of issuing and recording the Certificate of Compliance,

WHEREAS, City staff has recommended an increase in the Certificate of Compliance fee, and

WHEREAS, the Council held a public hearing on November 8, 1983, to consider the recommended increase in the Certificate of Compliance fee,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a fee of $78.00 is hereby established payable by persons who request a certificate that property about to be sold complies with all provisions of the Subdivision Map Act.

BE IT FURTHER RESOLVED that the fees established by this resolution shall become effective on and after January 1, 1984.

BE IT FURTHER RESOLVED that Resolution No. 82-131 adopted on January 19, 1982, is hereby rescinded effective December 31, 1983.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Hensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-731

A RESOLUTION ESTABLISHING A SUBTRUNK SEWER EXTENSION CHARGE INSPECTION FEE AND RESCINDING RESOLUTION NO. 83-32

WHEREAS, Section 5-6.06 of the Modesto Municipal Code provides for a fee to be charged for inspection of property to determine the acreage to be used in determining the subtrunk sewer extension charge imposed by said section, and

WHEREAS, the Council is desirous of establishing a fee to cover the cost of said inspections, and

WHEREAS, City staff has recommended that a fee of seventeen and no/100ths ($17.100) Dollars for each inspection be established, and

WHEREAS, the City Council held a public hearing at its regular meeting on November 8, 1983, to consider the recommended fee,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that it hereby establishes a Subtrunk Sewer Extension Charge Inspection Fee in the amount of Seventeen and no/100ths ($17.00) Dollars to be charged for each inspection of property to determine the acreage to be used in determining the subtrunk sewer extension charge imposed by Section 5-6.06 of the Modesto Municipal Code.

BE IT FURTHER RESOLVED that Resolution No. 83-32 adopted by the Council on January 18, 1983, is rescinded effective December 31, 1983.

BE IT FURTHER RESOLVED that this resolution shall become effective on and after January 1, 1984.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-732

A RESOLUTION ESTABLISHING INVESTIGATION AND PERMIT FEES RELATING TO MOVING OF BUILDINGS AND RESCINDING RESOLUTION NO. 82-501.

WHEREAS, Section 4-3.08 of the Modesto Municipal Code authorizes the Council to establish, by resolution, investigation and permit fees relating to the moving of buildings, and

WHEREAS, investigation and permit fees relating to moving of buildings have previously been established, and

WHEREAS, City staff has recommended an increase in said fees to reflect increased costs, and

WHEREAS, the City Council held a public hearing at its regular meeting on November 8, 1983, to consider the recommended fee increase,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. INVESTIGATION FEES:

(a) When the building to be moved is located inside the City limits and is to be moved to a new site in the City, an investigation fee in the sum of $41.00 shall be paid to the Director of Finance upon filing each application for a House Moving Inspection Permit.

(b) When the building to be moved is located outside the City limits and is to be moved to a new site in the City, an investigation fee equal to the sum of the estimated direct salary of one inspector while making the investigation, plus the cost of travel calculated at 23¢ per mile, but in no case less than $41.00 shall be paid to the Director of Finance upon filing each application for a House Moving Inspection Permit.

(c) When the building to be moved is located inside the City limits and is to be moved to a new site outside the City limits, there is no investigation fee.

SECTION 2. PERMIT FEES. A permit fee in the sum of $23.00 shall be paid to the Director of Finance upon issuance of each House Moving Permit.

SECTION 3. REPEALS. Resolution No. 82-501 adopted July 6, 1982, is hereby rescinded effective December 31, 1983.

SECTION 4. EFFECTIVE DATE. The fees established by this resolution shall become effective on and after January 1, 1984.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Maxine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO 83-733

A RESOLUTION ESTABLISHING FEES AND CHARGES FOR COPIES OF VARIOUS MAPS AND PRINTS OBTAINED FROM THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 82-191.

WHEREAS, upon request, copies of vaarious maps and prints are made available to the public by various departments of the City, and

WHEREAS, the Council has previously established fees and charges for obtaining said maps and prints, and

WHEREAS, the City staff has recommended an increase in some of said fees and charges to reflect increased costs, and

WHEREAS, the City Council held a public hearing at its regular meeting on November 8, 1983, to consider the recommended fee increases,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The fees and charges set forth on Exhibit "A", which is attached hereto and made a part hereof as if set forth herein, are hereby established for copies of various maps and prints listed thereon which are obtained from the City of Modesto.

SECTION 2. No fees or charges shall be charged to governmental agencies which obtain copies of maps and prints.

SECTION 3. Resolution No. 82-191 adopted by the Council on February 16, 1982 is rescinded effective December 31, 1983.

SECTION 4. EFFECTIVE DATE: This resolution shall become effective on and after January 1, 1984.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FEES AND CHARGES
FOR COPIES OF VARIOUS MAPS AND PRINTS
OBTAINED FROM THE CITY OF MODESTO

## PRINTING FEES

Printing fees per sheet plus sales tax for copies of tentative and final subdivision maps and parcel maps.

| | | |
|---|---|---|
| A. | Mylar | $7.31 |
| B. | Sepia | $2.28 |
| C. | Blue-line | $ .42 |

## DOCUMENT RETRIEVAL FEE

This fee covers the cost of interviewing the customer to determine his needs, searching of the vault or other files to find the needed document, drawing, aerial photo, map, microfilm, log book, etc. This is a fee that covers the prerequisite activity to reproduction of a document. This charge is in addition to any other reproduction costs listed herein. The Director of Engineering Services is authorized to waive the document retrieval fee for certain standard stock documents which he determines do not require the document retrieval activity.

Fee $3.75

## COPYING BY COMMERCIAL FIRMS

The charge for City documents reproduced by commercial firms shall be the exact amount that the firm charges the City including sales tax.

## BLUE-LINE REPRODUCTION

The charge for in-house blue-line reproduction of maps, drawings, aerial photos, etc., shall be charged on a square foot basis, plus sales tax.

Fee $ .09/s.f.

## SEPIA REPRODUCTION

The cost of reproduction on sepia of maps, drawings, aerial photos, etc., shall be on a square foot basis, plus sales tax.

Fee $ .20/s.f.

EXHIBIT A

MYLAR REPRODUCTION

The cost of reproduction on mylar of maps, drawings, aerial photos, etc., shall be on a square foot basis, plus sales tax.

| | |
|---|---|
| Fee | $ .60/s.f. |

DRY SILVER PRINT FROM MICROFILM

The cost of producing a dry silver print from microfilm on equipment maintained by the Engineering Department shall be on a per image basis, plus sales tax.

| | |
|---|---|
| Fee | $1.10/image |

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 734

A RESOLUTION ESTABLISHING A SEWER BOND REDEMPTION CHARGE INSPECTION FEE AND RESCINDING RESOLUTION NO. 83-31.

WHEREAS, Section 5-6.04 of the Modesto Municipal Code provides for a fee for inspection of property to determine the acreage to be used in determining the sewer bond redemption charge imposed by said section, and

WHEREAS, the Council has previously adopted such a fee, and

WHEREAS, City staff has recommended an increase in said fee to reflect increased costs, and

WHEREAS, the City Council held a public hearing at its regular meeting on November 8, 1983, to consider the recommended fee increase,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby establishes a Sewer Bond Redemption Charge Inspection Fee in the amount of Seventeen and no/100ths ($17.00) Dollars to be charged for each inspection of property to determine the acreage to be used in determining the sewer bond redemption charge imposed by Section 5-6.04 of the Modesto Municipal Code.

BE IT FURTHER RESOLVED that Resolution No. 83-31 adopted by the Council on January 18, 1983, is rescinded effective December 31, 1983.

BE IT FURTHER RESOLVED that this resolution shall become effective on and after January 1, 1984.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-735

A RESOLUTION ESTABLISHING A FEE FOR PREPARATION OF SEWER LINE REIMBURSEMENT AGREEMENTS.

WHEREAS, Section 5-6.10 of the Modesto Municipal Code authorizes a fee for preparation of sewer line reimbursement agreements, and

WHEREAS, the Council is desirous of establishing a fee to cover the cost of preparation of sewer line reimbursement agreements, and

WHEREAS, City staff has recommended that a fee of Ninety and no/100ths ($90.00) Dollars be established for the preparation of sewer line reimbursement agreements, and

WHEREAS, the City Council held a public hearing on November 8, 1983 to consider the recommended fee for preparation of sewer line reimbursement agreements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby establishes a Sewer Line Reimbursement Agreement Preparation Fee in the amount of Ninety and no/100ths ($90.00) Dollars.

BE IT FURTHER RESOLVED that the fee established by this resolution shall become effective on and after January 1, 1984.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-736

A RESOLUTION ADOPTING A SCHEDULE OF FEES AND CHARGES FOR WATER SERVICE IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 83-719

WHEREAS, Sections 11-1.04, 11-1.05, 11-1.06, 11-1.09, and 11-1.14 of the Modesto Municipal Code, provide that a schedule of fees and charges to be charged to consumers for water services are to be established and set by the Council from time to time by resolution, and

WHEREAS, the Council has previously adopted such a schedule of fees and charges for water service, and

WHEREAS, the City staff has recommended an increase in said schedule of fees and charges to be charged to consumers for water services in the City of Modesto to reflect new and increased costs, and

WHEREAS, the City Council held a public hearing at its regular meeting on November 8, 1983, to consider the recommended fee increases,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following schedule of fees and charges for water service to be charged to consumers for water services in the City of Modesto:

SCHEDULE OF FEES AND CHARGES
FOR WATER SERVICES

| Modesto Municipal Code Reference | Name of Fee or Charge and Itemization | Fee or Charge |
|---|---|---|
| 11-1.04 | Water service installation charges | |
| | 1" service | $ 525.00 |
| | 1-1/2" service | 535.00 |
| | 2" service | 590.00 |
| | Service larger than 2" | Cost |
| 11-1.04 | Additional Charge for each water service installation involving pavement removal and/or replacements. | $ 220.00 |
| | Charge for preparing reimbursement agreements which are related to water fees. | 90.00 |
| 11-1.05(a) | Water main connection charges in territory within City for each square foot served. | .10 |
| | Credit for volunteer installation of fire sprinklers in single-family dwellings and duplexes. | 50.00 |
| 11-1.05(b) | Water main connection charges in territory outside the City for each square foot served. | .10 |
| | Credit for volunteer installation of fire sprinklers in single-family dwellings and duplexes. | 50.00 |
| 11-1.05(c) (4) | Fire hydrant installation, each | $1,210.00 |
| | Fire hydrant line to main per lineal foot | 33.00 |
| | Additional charge for each hydrant installation involving pavement removal and/or replacement. | 275.00 |
| 11-1.05(d) (3) | Inspection fee to determine portion of parcel to be served by a water main connection, fee per parcel. | $ 17.00 |

| | | |
|---|---|---|
| 11-1.06 (e) | Meter installation cost | |
| | Each 1" meter | $ 170.00 |
| | Each 1" meter with traffic lid | 205.00 |
| | Each 1-1/2" meter | 365.00 |
| | Each 1-1/2" meter with traffic lid | 405.00 |
| | Each 2" meter | 425.00 |
| | Each 2" meter with traffic lid | 465.00 |
| | Each meter over 2" | Cost |
| 11-1.09 | Fire hydrant use service charge for each permit issued. | 22.00 |
| 11-1.14(e) | Water bill delinquent charge. | 2.00 |
| 11-1.14(e) | Water disconnection charge. | 6.00 |
| 11-1.14(e) | Water reconnection charge. | 6.00 |

BE IT FURTHER RESOLVED that Resolution No. 83-719, adopted by the Council November 1, 1983, is hereby rescinded effective December 31, 1983.

BE IT FURTHER RESOLVED that the above schedule of fees and charges shall become effective on and after January 1, 1984.

| | | |
|---|---|---|
| 11-1.06 (e) | Meter installation cost | |
| | Each 1" meter | $ 170.00 |
| | Each 1" meter with traffic lid | 205.00 |
| | Each 1-1/2" meter | 365.00 |
| | Each 2" meter | 425.00 |
| | Each 2" meter with traffic lid | 465.00 |
| | Each meter over 2" | |
| 11-1.09 | Fire hydrant use service charge for each permit issued. | 22.00 |
| 11-1.14(e) | Water bill delinquent charge. | 2.00 |
| 11-1.14(e) | Water disconnection charge. | 6.00 |
| 11-1.14(e) | Water reconnection charge. | 6.00 |

BE IT FURTHER RESOLVED that Resolution No. 83-719, adopted by the Council November 1, 1983, is hereby rescinded effective December 31, 1983.

BE IT FURTHER RESOLVED that the above schedule of fees and charges shall become effective on and after January 1, 1984.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-737

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE PARADISE WATER LINE EXTENSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the Paradise water line extension

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 29, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-738

A RESOLUTION ACCEPTING THE BID OF H.V. CARTER COMPANY FOR FURNISHING THREE GASOLINE POWERED GREENS MOWERS AND THREE VERTICUTTER ATTACHMENTS

WHEREAS, Resolution No.83-614, adopted by the Council of the City of Modesto on September 27, 1983, approved the plans and specifications for the purchase of three greens mowers and verticutter attachments and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of three greens mowers and verticutter attachments were opened at 3:00 p.m. on October 18, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of H.V. Carter Company in the amount of $29,903.42 including trade-ins be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of H.V. Carter Company in the amount of $29,903.42 including trade-ins be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-739

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** STORM DRAIN EXTENSION ON MANOR OAK BETWEEN WALNUT TREE AND LINCOLN OAK AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Engineering **that the construction of** storm drain extension on Manor Oak between Walnut Tree and Lincoln Oak **has been completed by** Central Ready Mix

**in accordance with the contract agreement dated** September 6, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** storm drain extension on Manor Oak between Walnut Tree and Lincoln Oak **be accepted from said contractor,** Central Ready Mix;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $39,084.62 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** November, **19**83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-740

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** THE CORPORATION YARD EXPANSION-VEHICLE PARKING, BLOCK 437 PROJECT AS COMPLETE

**WHEREAS, a repcrt has been filed by the** Director of Engineering **that the construction cf** the Corporation Yard expansion-vehicle parking, Block 437, project **has been ccmpleted by** L.M. Roberts Construction

**in accordance with the contract agreement dated** September 6, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** the Corporation Yard expansion-vehicle parking, Block 437 **be accepted from said contractor,** L.M. Roberts Construction;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $42,482.67 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** November, **19**83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-741

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF THREE DAISY WHEEL PRINTERS, ONE MATRIX PRINTER, AND TWO TWIN-SHEET FEEDERS FROM WANG LABORATORIES, INC.

WHEREAS, the City of Modesto has Wang central processing units at both City Hall and the Police Department, which makes it desirable that all supplementary hardware purchased be compatible with the existing equipment.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of three daisy wheel printers, one matrix printer, and two twin-sheet feeders is hereby waived.

BE IT FURTHER RESOLVED that purchase of three daisy wheel printers, one matrix printer, and two twin-sheet feeders from Wang Laboratories, Inc. for the total amount of $26,907 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-742

A RESOLUTION CALLING FOR LONG-TERM AND PERMANENT LOCAL GOVERNMENT FINANCING

WHEREAS, legislative decisions during the past several years have created a great deal of uncertainty from year to year concerning local government revenues; and

WHEREAS, this high degree of uncertainty has made it impossible for the City of Modesto to budget or plan for the delivery of vital services; and

WHEREAS, this condition has existed for several years, but the most dramatic and detrimental example has been the inability of the City of Modesto to finalize its budget for the current year while it waited for the continuing deliverations and indecision by the Legislature concerning state-local fiscal relations; and

WHEREAS, the General Assembly of the League of California Cities assembled in Annual Conference in San Francisco, Oftober 5, 1983, resolved that the League establish as its number one priority a long-term solution to the current dilemma of local government financing, and that activities of the League members and staff be focused primarily on the objective of securing an adequate, stable, predictable revenue base for cities.

NOW, THEREFORE BE IT RESOLVED, that the City of Modesto supports the League of California's Resolution establishing as its number one priority a long-term solution to the current dilemma of local government financing.

BE IT FURTHER RESOLVED, that the City of Modesto work with the League members and staff in their efforts in focus primarily on the objective of securing an adequate, stable, predictable revenue base for cities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-743

A RESOLUTION ESTABLISHING PASSENGER FARES FOR BUS SERVICE ON MODESTO INTRACITY TRANSIT AND SUPERSEDING RESOLUTION NO. 83-651.

BE IT RESOLVED by the Council of the City of Modesto that the following fares are hereby established for passengers riding on the fixed route buses of the Modesto Intracity Transit:

A. Cash Fares

| | |
|---|---|
| 1. Regular Passengers | $ .50 |
| 2. Students (age 5 and older and full-time college students) | $ .35 |
| 3. Handicapped and Senior Citizens | $ .25 |
| 4. Passengers riding between 9:15 a.m. and 11:15 a.m. on Mondays through Fridays | $ .25 |
| 5. Transfer fare for passengers transferring from the Stanislaus County Rural Transit System to Intracity Transit | $ .25 |

B. Passes and Tickets

| | |
|---|---|
| 1. Regular Monthly Pass - full month | $ 20.00 |
| After the 7th of the month | 15.00 |
| After the 14th of the month | 10.00 |
| After the 21st of the month | 5.00 |
| 2. Student Monthly Pass - full month | $ 15.00 |
| After the 7th of the month | 11.25 |
| After the 14th of the month | 7.50 |
| After the 21st of the month | 3.75 |
| 3. Senior Citizen/Handicapped Monthly Pass - full month | $ 12.00 |
| After the 7th of the month | 9.00 |
| After the 14th of the month | 6.00 |
| After the 21st of the month | 3.00 |
| 4. All day Bus Pass (all passengers) | $ 1.25 |

| | | |
|---|---|---|
| 5. | Commuter Tickets (Commuter tickets are valid only between the hours of 6:00 a.m. and 10:00 a.m. and from 4:00 p.m. to 6:00 p.m. every day | $ 21.00 for 50 rides |
| 6. | Regular Passenger Ticket Books | $ 25.00 for 50 rides |

BE IT FURTHER RESOLVED that this resolution shall be effective on and after December 1, 1983, and supersedes Resolution No. 83-651.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-744

A RESOLUTION ESTABLISHING PASSENGER FARES FOR DIAL-A-RIDE SERVICE AND SUPERSEDING RESOLUTION NO. 83-652.

BE IT RESOLVED by the Council of the City of Modesto that the following fares are hereby established for passengers riding on the City of Modesto's Dial-A-Ride service:

A. Exclusive Elderly/Handicapped Service Hours.

During the hours of exclusive elderly/handicapped Dial-A-Ride Service the following fares are hereby established:

| | |
|---|---|
| Regular Cash Fare: | $ 1.20 |
| Elderly and handicapped receiving only $58.00 a month or less in disposable income and residing in board and care homes. | $ .50 |
| Ticket Books (containing 10 tickets) | $ 7.50 |

B. General Public Service Hours

During the hours Dial-A-Ride Service is open to the general public the following fares are hereby established:

$1.50 per ride for all passengers. The $1.50 fare may be paid in cash or with two tickets from a Dial-A-Ride ten ride ticket book.

BE IT FURTHER RESOLVED that this resolution shall be effective on and after December 1, 1983, and supersedes Resolution No. 83-652.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 8th day of November, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-745

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $25,000 FROM CONTINGENCY RESERVE TO MCHENRY MANSION RESTORATION ACCOUNT TO PURCHASE IMPROVEMENTS FOR MCHENRY MANSION

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Contingency Reserve (61.04 8911 18) | $25,000 |
| TO: | McHenry Mansion Restoration (6276.00 7101 18) | $25,000 |

This transfer is needed to provide funds for the purchase of wallpapers, lace curtains, draperies, painting, graining and the caterer's kitchen so that the McHenry Mansion can oepn in December.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** November, 19 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-746

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GRACE A. SOUZA FOR THE ACQUISITION OF A 0.443± ACRE TEMPORARY EASEMENT NEEDED FOR THE PARALLEL OUTFALL LINE PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Grace A. Souza for the acquisition of a 0.443± acre temporary easement needed for the parallel outfall line project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** November, **19**83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-747

**A RESOLUTION APPROVING APPROPRIATION TRANSFER** OF $6,240 FROM CONTINGENCY RESERVE FOR CATV EXPENDITURES

**BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:**

| | | |
|---|---|---|
| FROM: | Contingency Reserve (61-02 8911 01) | $6,240 |
| TO: | Professional and Contingency Services (200 1499 01) | 6,015 |
| | Materials & Supplies (Planning) (300 1499 01) | 100 |
| | Other (Planning)(400 1499 01) | 125 |

Funds needed for consulting fees, seminar expanses for CATV Committee members and other expenses in connection with CATV.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** November, 19 83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

CITY OF MODESTO

IMPROVEMENT DISTRICT NO. 25

RESOLUTION NO. 83-748

RESOLUTION DETERMINING TO UNDERTAKE PROCEEDINGS PURSUANT TO THE MUNICIPAL IMPROVEMENT ACT OF 1913 AND ISSUE BONDS IN SAID PROCEEDINGS UNDER THE PROVISIONS OF THE IMPROVEMENT BOND ACT OF 1915

---

BE IT RESOLVED by the Council of the City of Modesto that this Council declares its intention to and determines to undertake proceedings pursuant to the Municipal Improvement Act of 1913 and issue bonds in said proceedings under the provisions of the Improvement Bond Act of 1915 for the construction in the City of Modesto, California, of sanitary sewer mains, laterals, wyes and manholes and the reconstruction of pavement disturbed by such construction in public streets and rights-of-way located in the following areas annexed to the City, namely: Yellowstone-Temperate Addition; Sherwood Forest No. 2; Robinhood Estates

Annexation Addition; Scenic Bend Addition; Scenic Bend No. 2 Governmental Reorganization; and McHenry-Dry Creek Municipal Reorganization; in and for an assessment district in the City of Modesto to be designated Improvement District No. 25.

PASSED AND ADOPTED this 8th day of November, 1983, by the following vote: Moved by Muratore, seconded by Whiteside

AYES: Councilmembers Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers None

ABSENT: Councilmembers None

ATTEST: Maxine Coyle
City Clerk of the City of Modesto

[Seal]

APPROVED AS TO FORM
Elwyn L. Johnson
Elwyn L. Johnson, City Attorney

CITY OF MODESTO

IMPROVEMENT DISTRICT NO. 25

RESOLUTION NO. 83-749

RESOLUTION APPOINTING ENGINEER

---

WHEREAS, in accordance with prior proceedings duly had and taken, the Council of the City of Modesto has declared its intention to and has determined to undertake proceedings pursuant to the Municipal Improvement Act of 1913 and issue bonds in said proceedings under the provisions of the Improvement Bond Act of 1915 for the construction in the City of Modesto, California, of sanitary sewer mains, laterals, wyes and manholes and the reconstruction of pavement disturbed by such construction in public streets and rights-of-way located in the following areas annexed to the City, namely: Yellowstone - Temperate Addition; Sherwood Forest No. 2; Robinhood Estates Annexation Addition; Scenic Bend Addition; Scenic Bend No. 2 Governmental Reorganization; and McHenry-Dry Creek Municipal Reorganization; in and for an

assessment district in the City of Modesto to be designated Improvement District No. 25; and

WHEREAS, the public interest, necessity, convenience and general welfare will be served thereby;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Engineering Services be and such person is hereby appointed Engineer of Work in said proceedings, and such person is hereby authorized and directed to do and perform or cause to be done and performed all engineering work necessary in and for said proceedings, including the preparation of plans and specifications for said improvements and the descriptions of the acquisitions, together with estimates of costs thereof, and the preparation of a map of the assessment district, an assessment diagram, and an assessment, and the supervision of the work.

PASSED AND ADOPTED this 8th day of November, 1983, by the following vote: Moved by Muratore, seconded by Whiteside

| | | |
|---|---|---|
| AYES: | Councilmembers | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers | None |
| ABSENT: | Councilmembers | None |

ATTEST:

City Clerk of the City of Modesto

[Seal]

APPROVED AS TO FORM

Attorney

CITY OF MODESTO

IMPROVEMENT DISTRICT NO. 25

RESOLUTION NO. 83-750

RESOLUTION APPROVING MAP OF PROPOSED BOUNDARIES OF ASSESSMENT DISTRICT

---

WHEREAS, in accordance with prior proceedings duly had and taken, the Council of the City of Modesto has declared its intention to and has determined to undertake proceedings pursuant to the Municipal Improvement Act of 1913 and issue bonds in said proceedings under the provisions of the Improvement Bond Act of 1915 for the construction in the City of Modesto, California, of sanitary sewer mains, laterals, wyes and manholes and the reconstruction of pavement disturbed by such construction in public streets and rights-of-way located in the following areas annexed to the City, namely: Yellowstone-Temperate Addition; Sherwood Forest No. 2; Robinhood Estates Annexation Addition; Scenic Bend Addition; Scenic Bend No. 2 Governmental Reorganization; and McHenry-Dry Creek Municipal Reorganization; in and for an

lssessment district in the City of Modesto to be designated Improvement District No. 25; and

WHEREAS, this Council, by resolution duly adopted, appointed the Director of Engineering Services as Engineer of Work in said proceedings and authorized and directed such person to do and perform or cause to be done and performed all engineering work necessary in and for said proceedings, including the preparation of plans and specifications for said improvements and the descriptions of the acquisitions, together with estimates of costs thereof, and the preparation of a map of the assessment district, an assessment diagram, and an assessment, and the supervision of the work; and

WHEREAS, said Engineer of Work has submitted to this Council a map entitled "Proposed Boundaries, Improvement District No. 25, City of Modesto, Stanislaus County, State of California" indicating the proposed boundaries of said assessment district, a copy of which map is attached hereto and labeled Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said map be, and the same is hereby approved by this Council as the map of the proposed boundaries of said assessment district.

PASSED AND ADOPTED this 8th day of November, 1983, by the following vote: Moved by Muratore, seconded by Whiteside

| | | |
|---|---|---|
| AYES: | Councilmembers | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers | None |
| ABSENT: | Councilmembers | None |

ATTEST:

City Clerk of the City of Modesto

[Seal]

APPROVED AS TO FORM

Elwyn L. Johnson, City Attorney

# Reso 83-750
# Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 153.
Unable to remove safely for scanning.

CITY OF MODESTO

IMPROVEMENT DISTRICT NO. 25

RESOLUTION NO. 83-751

RESOLUTION OF INTENTION

---

WHEREAS, in accordance with prior proceedings duly had and taken, the Council of the City of Modesto (the "City") has declared its intention to and has determined to undertake proceedings pursuant to the Municipal Improvement Act of 1913 and issue bonds in said proceedings under the provisions of the Improvement Bond Act of 1915 for the construction in the City of Modesto, California, of sanitary sewer mains, laterals, wyes and manholes and the reconstruction of pavement disturbed by such construction in public streets and rights-of-way located in the following areas annexed to the City, namely: Yellowstone-Temperate Addition; Sherwood Forest No. 2; Robinhood Estates Annexation Addition; Scenic Bend Addition; Scenic Bend No. 2 Governmental Reorganization; and McHenry-Dry Creek Municipal

Reorganization; in and for an assessment district in the City to be designated Improvement District No. 25; and

WHEREAS, this Council, by resolution duly adopted, appointed the Director of Engineering Services as Engineer of Work in said proceedings and authorized and directed such person to do and perform or cause to be done and performed all engineering work necessary in and for said proceedings, including the preparation of plans and specifications for said improvements and the descriptions of the acquisitions, together with estimates of costs thereof, and the preparation of a map of the assessment district, an assessment, diagram, and an assessment, and the supervision of the work; and

WHEREAS, the public interest, necessity, convenience and general welfare will be served thereby;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

Section 1. The foregoing recitals are true and correct and this Council so finds and determines.

Section 2. The public interest, necessity, convenience and general welfare require the acquisition and construction of the improvements hereinafter described in the assessment district hereinafter described.

Section 3. It is the intention of this Council to order the following improvements to be made in the City in an assessment district designated "Improvement District No. 25," the exterior boundaries of which are hereinafter specified

and described in Section 4 hereof, said improvements to be made being briefly described as follows, to wit: The construction in the City of sanitary sewer mains, laterals, wyes and manholes and the reconstruction of pavement disturbed by such construction in public streets and rights-of-way located in the following areas annexed to the City, namely: Yellowstone-Temperate Addition; Sherwood Forest No. 2; Robinhood Estates Annexation Addition; Scenic Bend Addition; Scenic Bend No. 2 Governmental Reorganization; and McHenry-Dry Creek Municipal Reorganization. Said improvements shall be made pursuant to the Municipal Improvement Act of 1913.

Section 4. This Council hereby declares that the territory within the boundaries hereinafter specified and described is the assessment district to be benefitted by said improvements and to be assessed to pay the cost and expenses thereof; that the cost and expenses of said improvements shall be made chargeable upon said assessment district; and that the exterior boundaries of said assessment district are hereby specified and described to be as shown on that certain map now on file in the office of the City Clerk of the City approved by Resolution No. 83-750 adopted by this Council on November 8th, 1983, entitled "Proposed Boundaries, Improvement District No. 25, City of Modesto, County of Stanislaus, State of California," which said map indicates by a boundary line the exterior boundaries of the territory included in said

assessment district and shall govern for all details as to the extent of said assessment district.

Section 5. All public streets, alleys, easements and rights-of-way shall be omitted from the assessment to be made to pay the cost and expenses of said improvements, but all publicly owned parcels shall be included therein.

Section 6. This Council hereby determines and notice is hereby given that serial bonds to represent unpaid assessments, and to bear interest at the rate of not to exceed twelve per cent (12%) per annum, will be issued hereunder in the manner provided by Division 10 of the Streets and Highways Code, the Improvement Bond Act of 1915, and the last installment of the bonds shall mature a maximum of fifteen (15) years from the 2nd day of July next succeeding 10 months from their date. This Council hereby further determines and notice is hereby further given that the principal amount of the bonds maturing each year shall be other than an amount equal to an even annual proportion of the aggregate principal of the bonds; and the amount of principal maturing in each year plus the amount of interest payable in that year will be an aggregate amount that is approximately equal each year, which annual aggregate amounts may vary one from another in amounts not exceeding in any year more than five per cent (5%) of the total principal amount of the bonds, except for the moneys falling due on the first series of the bonds which shall be adjusted to reflect

the amount of interest earned from the date when the bonds bear interest to the date when the first interest is payable on the bonds. This Council hereby further determines and notice is hereby further given that it proposes to proceed under the alternative procedure authorized in Part 11.1 of said Improvement Bond Act of 1915 relative to collecting assessments and advance retirement of the bonds. This Council hereby further determines and notice is hereby given that it proposes to include, as an additional expense of the proceedings, an amount not in excess of ten per cent (10%) of the total amount of assessments as a special reserve fund for the bonds, as authorized in said Improvement Bond Act of 1915.

Section 7. After completion of said improvements and the payment of all claims from the improvement fund to be provided in the proceedings hereafter to be taken pursuant to this resolution, this Council shall determine the amount of the surplus, if any, remaining in said improvement fund by reason of the assessment (and any supplemental assessment) levied for said improvements, and any such surplus shall be used as a credit on the assessment (as provided in Section 10427.1 of the Streets and Highways Code).

Section 8. This Council hereby determines that, in its opinion, the public interest will not be served by allowing the property owners to take the contract for the construction of said improvements.

Section 9. This Council hereby refers said proposed improvements to said Engineer of Work and hereby directs said Engineer of Work to make and file in writing a report containing the matters specified in Section 10204 of the Streets and Highways Code, which report shall reflect a contribution to the cost of said improvements of $75,364.00 to be provided by the City. The grade to which said improvement shall be done shall be that which is shown on the plans and profiles therefor (which may vary from the official grade established for any of the streets), to which reference is hereby made.

PASSED AND ADOPTED this 8th day of November, 1983, by the following vote: Moved by Muratore, seconded by Whiteside

| | | |
|---|---|---|
| AYES: | Councilmembers | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers | None |
| ABSENT: | Councilmembers | None |

ATTEST:

Marie Coyle
City Clerk of the City of Modesto

[Seal]

APPROVED AS TO FORM:

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-752

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ARTURO AND ESTELLA DEANDA FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1749 CROWS LANDING ROAD

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Arturo and Estella DeAnda for sewer service to property outside City limits at 1749 Crows Landing Road, located on the west side of Crows Landing Rd. between Crows Landing Road and Seattle Street

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** November**, 19**83**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-753

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** ARTURO AND ESTELLA DEANDA FOR WATER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1749 CROWS LANDING ROAD

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Arturo and Estella DeAnda for water service to property outside City limits at 1749 Crows Landing Road, located on the west side of Crows Landing Road, between Crows Landing Road and Seattle Street

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 8th **day of** November, **19**83, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-754

A RESOLUTION GRANTING A VARIANCE TO DAVID BASMAJIAN TO PERMIT A SIX AND ONE-HALF FOOT HIGH FENCE WITHIN THE 15 FOOT FRONT YARD SETBACK AREA AT 319 GRISWOLD AVENUE IN THE CITY OF MODESTO AND OVERRULING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, an application for a variance from the provisions of Section 10-2.1612 of the Modesto Municipal Code to permit a six and one-half foot high fence within the 15 foot front yard setback area at 319 Griswold Avenue was filed by David Basmajian on August 31, 1983, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2001 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant variances subject to findings specified in Section 10-2.2003, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on September 22, 1983, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said public hearing, the Board of Zoning Adjustment, by its Resolution No. 1127, determined that the application of David Basmajian for a variance to permit a six and one-half foot high fence within the 15 foot front yard setback area at 319 Griswold Avenue should be denied because the Board of Zoning Adjustment found that there were no exceptional or extraordinary circumstances relating to the property and that a good sized fence could be provided without a variance, and

WHEREAS, an appeal was filed by David Basmajian by a letter dated September 26, 1983, to said decision of the Board of Zoning Adjustment, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 p.m. on November 8, 1983, and continued to 4:00 p.m. on November 15, 1983, at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, at said hearing the Council found and determined that the appeal filed by David Basmajian to the decision of the Board of Zoning Adjustment denying a variance to permit a six and one-half foot high fence within the 15 foot front yard setback area at 319 Griswold Avenue in the City of Modesto should be granted for the following reasons, and that the decision of the Board of Zoning Adjustment should be overruled:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved because the offset design of the Sycamore, Griswold Street intersection causes vehicles and headlight glare to be directed toward the house at 319 Griswold Avenue.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property in question because fences with various substandard setback distances do exist in this neighborhood.

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located because the proposed fence will be subject to the approved plot plan, elevation and conditions of approval.

4. The granting of the variance will not adversely affect the comprehensive General Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of David Basmajian to the decision of the Board of Zoning Adjustment denying a variance from the provision of Section 10-2.1612 of the Modesto Municipal Code to permit a six and one-half foot high fence within the 15 foot front yard setback area at 319 Griswold Avenue in the City of Modesto

is hereby granted, and the decision of the Board of Zoning Adjustment as set forth in its Resolution No. 1127 is hereby overruled, for the reasons set forth above.

BE IT FURTHER RESOLVED that a variance is hereby granted to David Basmajian from the provisions of Section 10-2.1612 of the Modesto Municipal Code to permit a six and one-half foot high fence within the 15 foot front yard setback area at 319 Griswold Avenue, in the City of Modesto, subject to the following conditions:

1. All improvements shall conform to the plot plan and fence elevation titled "Plot Plan of 319 Griswold with proposed fence" as amended in red, stamped approved by the City Council on November 15, 1983.

2. The proposed fence shall be constructed clear of the required vision clearance for corner lots, in accordance with the provisions of Section 10-2.1609 of the Modesto Municipal Code.

3. The applicant shall record a "Notice of Conditions" in the Stanislaus County Recorder's Office on a form available in the Planning and Community Development Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-755

A RESOLUTION DENYING THE APPEAL OF MID-VALLEY ENGINEERING, ON BEHALF OF JAMES LAMATIS, TO THE DECISION OF THE PLANNING COMMISSION GRANTING A ONE YEAR TIME EXTENSION TO THE DEVELOPMENT SCHEDULE OF P-D(226), A NEIGHBORHOOD SHOPPING CENTER AND OFFICE COMPLEX AT THE NORTHWEST CORNER OF CLAUS ROAD AND SCENIC DRIVE. (MODESTO DEVELOPMENT)

WHEREAS, the City Council by Ordinance No. 1827-C.S., effective June 21, 1979, established Planned Development Zone, P-D(226), for a neighborhood shopping center and office complex at the northwest corner of Claus Road and Scenic Drive, and

WHEREAS, City Council Resolution No. 79-445, adopted on May 8, 1979, approved the development plan and schedule for Planned Development Zone, P-D(226), and specified that construction was to be accomplished in two phases, with Phase I, the shopping center, to begin on or before July 1, 1982, and completion to be not later than July 1, 1985; and Phase II, the office complex, to begin on or before April 1, 1983, and completion to be not later than April 1, 1984, and

WHEREAS, on August 2, 1982, by Resolution No. 82-122, the Planning Commission granted a one year time extension to the entire development schedule for Planned Development Zone, P-D(226), and

WHEREAS, on September 14, 1982, by Resolution No. 82-715, the City Council denied an appeal to the granting of the time extension and reaffirmed the extended development schedule, and

WHEREAS, Planned Development Zone, P-D(226), expired on July 1, 1983, and

WHEREAS, on October 10, 1983, by Resolution No. 83-154, the Planning Commission set a public hearing to review and modify or repeal Planned Development Zone, P-D(226), and

WHEREAS, a public hearing was held by the Planning Commission at its regular meeting on October 24, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said meeting the Planning Commission found and determined that good cause has been shown for a one year time extension to the development schedule of Planned Development Zone, P-D(226), for the following reasons:

1. Modesto Development is a developing firm and has begun development on this comprehensive project which includes the adjacent Cedarbrook Townhouses.

2. Some public improvements have already been installed for this site by Modesto Development.

and

WHEREAS, pursuant to the provisions of Section 10-2.2709 of the Modesto Municipal Code, an appeal was filed, by letter dated October 26, 1983, by Mid-Valley Engineering on behalf of James Lamatis, to the decision of the Planning Commission granting a one year time extension to the development schedule of Planned Development Zone, P-D(226), and

WHEREAS, said appeal was set for public hearing before the City Council in the City Council Chambers located in the City Hall, 801 11th Street, Modesto, California, on November 15, 1983, at 4:00 p.m., and

WHEREAS, after hearing evidence both oral and documentary, the Council found and determined that the appeal of James Lamatis to the decision of the Planning Commission granting a one year time extension to the development schedule for Planned Development Zone, P-D(226), should be denied, and the decision of the Planning Commission to grant the one year time extension should be affirmed, for the reasons set forth in Planning Commission Resolution No. 83-167, and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Mid-Valley Engineering on behalf of James Lamatis to the decision of the Planning Commission granting a one year time extension to the development schedule of Planned Development Zone, P-D(226), is hereby denied for the reasons set forth above.

BE IT FURTHER RESOLVED that the development schedule for Planned Development Zone, P-D(226), shall be as follows:

Phase I - begin on or before July 1, 1984, completion to be by July 1, 1987

Phase II - begin on or before April 1, 1985, completion to be by April 1, 1986

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-756

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAPS 22-3-9 AND 27-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (COMMISSION INITIATED)

**WHEREAS, on** November 15, 19 83, **the City Council** introduced Ordinance No. 2226-C.S. **giving approval to a project relating to** an amendment to Section Maps 22-3-9 and 27-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(272), to Low Density Residential Zone, R-1, **, and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Maps 22-3-9 and 27-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(272), to Low Density Residential Zone, R-1 .

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 19 83, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-757

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (345).

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Zagaris Management Services, Inc. on September 15, 1983, to reclassify from Professional Office Zone, P-O, to Planned-Development Zone, P-D, the following described property:

All that certain real property lying the Northeast quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, lying in the City of Modesto, County of Stanislaus, California, more particularly described as follows:

All of Parcel "B" as shown on Parcel Map recorded in Book 30 of Maps at Page 154, Stanislaus County records and all of Lot 17, Block 1144, of the Denise Subdivison as shown on Map recorded in Book 19 of Maps at Page 56, Stanislaus County Records.

Including also all of the Southern one-half of East Orangeburg Avenue and the western one-half of Allen Drive and all immediately adjacent to the above described property.

WHEREAS, after public hearing held on October 24, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The construction of a savings and loan on the property in addition to business and professional offices is consistent with the policy for the location of financial institutions outside of commercial zones adopted by the City Council on October 7, 1980.

2. The approved development plan and conditions of approval will insure compatibility with adjacent uses.

WHEREAS, after a public hearing held on November 15, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Zagaris Management Services, Inc. for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2227-C.S. on the 15th day of November, 1983, reclassifying the above-described property from Professional Office Zone, P-O, to Planned-Development Zone, P-D(345).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(345) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Plans to Accompany Application for Planned Development East Orangeburg and Allen Drive, Modesto, California" as amended in red, stamped approved by the Planning Commission on October 24, 1983.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the south property line.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   - Six-foot decorative masonry wall along the south and west property lines.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Engineering Services to complete East Orangeburg Avenue and Allen Drive to major and residential street standards respectively prior to occupancy or upon demand by the City, whichever occurs first.

6. The required public street improvements shall be constructed prior to occupancy of any structures, or upon demand by the City, whichever time occurs first.

7. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Engineering Services.

8. Prior to issuance of a building permit, the developer shall dedicate public utility easements as required by the utility companies and the Director of Engineering Services.

9. Drainage shall be provided as required by the Director of Engineering Services.

10. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Engineering Services.

11. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

12. The developer shall, in a manner approved by the City Attorney, provide a vehicular accessway for on-site traffic circulation for the benefit of the two proposed parcels, substantially as shown in red on the plot plan.

13. All businesses may be open to the public only between the hours of 7 a.m. and 10 p.m., seven days a week, unless a use permit for each business seeking additional hours is obtained from the Board of Zoning Adjustment.

14. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Engineering Services.

15. All signs shall comply with the sign requirements of the P-O zone.

16. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Engineering Services.

17. The developer shall dedicate to the City of Modesto a street tree planting easement along the Allen Drive frontage as required by the Director of Parks and Recreation.

18. Prior to issuance of a building permit, the developer shall show on the plans submitted to Building Inspection all fire hydrants as required by the Fire Chief. All hydrants required by the Fire Chief shall be installed and operable prior to construction of any structures.

**SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (345):**

The construction program shall be accomplished in two phases:

Phase I: Construction of the corner building containing the Savings and Loan and offices, all parking and landscaping, and all on-site and off-site improvements to be started on or before December 1, 1985, and to be completed by not later than December 1, 1986.

Phase II: Construction of the two-story office building to be started on or before December 1, 1986, and to be completed by not later than December 1, 1987.

**SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.**

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D ( 345 ) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Pinkerton
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-758

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ZAGARIS MANAGEMENT SERVICES, INC.)

WHEREAS, on November 15, 1983, the City Council introduced Ordinance No. 2227-C.S. giving approval to a project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, to Planned Development Zone, P-D(345), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, to Planned Development Zone, P-D(345).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-759

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 79-72 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(211)" AS AMENDED BY RESOLUTION NOS. 79-95 AND 79-1073.

WHEREAS, the City Council, by Ordinance No. 1807-C.S., which was introduced on January 23, 1979, finally adopted on February 6, 1979, and which became effective on March 8, 1979, amended Sections 10-3-9 and 15-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, and a portion of Planned Development Zone, P-D(153) to a new Planned Development Zone, P-D(211), property located on the west side of Oakdale Road between Sylvan Avenue and Floyd Avenue in the City of Modesto to allow single family residential, cluster housing, apartments, professional offices, a bank, restaurant, lake, and private parks, and

WHEREAS, City Council Resolution No. 79-72, which was adopted on January 23, 1979, approved the development plan for Planned Development Zone, P-D(211), and contained the conditions of approval thereof, and

WHEREAS, City Council Resolution No. 79-95, which was adopted on February 6, 1979, amended Section 1 of Resolution No. 79-72 referred to above to add an additional condition thereto, and

WHEREAS, City Council Resolution No. 79-1073, which was adopted on October 9, 1979, amended Sections 1 and 2 of Resolution No. 79-72, to permit higher density residential development and change project phasing for Planned Development Zone, P-D(211), and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(211) was filed by Mid-Valley Engineering on September 15, 1983, to

make the following changes to Planned Development Zone, P-D(211), property located on the west side of Oakdale Road between Floyd and Sylvan Avenues:

1. Add a second financial institution to the office area at the northwest corner of Oakdale Road and Hashem Drive.

2. Permit overall project signs at the intersections of Sylvan Avenue/Hashem Drive and Oakdale Road/Hashem Drive.

3. Alter the public street patterns in the areas of Essex Lane and Nora Lane.

4. Delete the single-family lots in the area backing up to the houses along Selby Lane.

5. Change the P-D zoning phasing and timing.

and

WHEREAS, a public hearing was held by the Planning Commission on October 24, 1983, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Planning Commission, by Resolution No. 83-168, found and determined that amendment of Planned Development Zone, P-D(211) is required by public necessity, convenience, and general welfare for the following reasons:

1. The amendments are in substantial compliance with the previously approved plan for the P-D Zone.

2. Specific development site plans will continue to require plot plan approval by the Commission.

and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto at its regular meeting place in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, on November 15, 1983, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested changes to Planned Development Zone, P-D(211), as set forth above, are required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 83-168 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution 79-72, entitled "A Resolution Approving A Development Plan For Planned Development Zone, P-D(211)," as previously amended by Resolution Nos. 79-95 and 79-1073, are hereby further amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(211), is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled, "Revised Master Land-Use Plan, Naraghi Lakes", as amended in red, stamped approved by the Planning Commission on October 24, 1983, and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit within any phase of development, except for single-family houses on individual lots shown on the approved plan, the applicant shall submit detailed plot plans for that phase in accordance with Section 10-2.2708 of the Modesto Municipal Code for review by the Planning Commission. Standard and special conditions normally part of the P-D approval will be attached to various plans for each phase.

3. That prior to the issuance of a building permit or the subdivision of land within the P-D Zone, evidence shall be submitted in a form satisfactory to the City Attorney that a Homeowners' Association has been created to guarantee a common open space improvement and maintenance, including the two park areas, all lake or water course areas, and all common landscaping areas.

4. That the maintenance and water quality of the lake shall be as required by the Director of Engineering Services.

5. Project signs at the intersection of Sylvan Avenue and Hashem and Oakdale and Hashem shall be permitted as shown on the plans titled "Entrance Wall Sign Detail" and "Entrance Island Sign Detail", stamped approved by the Planning Commission on October 24, 1983.

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(211):

The overall P-D design is approved until January 1, 1994. As individual portions of the overall project are brought to the Commission for plot plan approval, separate development schedules for each will be adopted."

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all other provisions of Modesto City Council Resolution No. 79-72 approved by the Council on January 23, 1979, Resolution No. 79-95 approved by the Council on February 6, 1979, and Resolution No. 79-1073 approved by the Council on October 9, 1979, shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 760

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 83-599 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(340)." TO ALLOW A NARAGHI LAKES PROJECT SIGN AT THE SOUTHWEST CORNER OF OAKDALE ROAD AND HASHEM DRIVE.

WHEREAS, the City Council by Ordinance No. 2219-C.S., which was adopted on September 20, 1983, and which became effective on October 27, 1983, amended Section Map 15-3-9 of the Zoning Map to rezone from Planned Development Zone, P-D(211), to Planned Development Zone, P-D(340), property located on the northwest corner of Oakdale Road and Floyd Avenue, to allow a neighborhood shopping center, and

WHEREAS, City Council Resolution No. 83-599 approved the development plan for Planned Development Zone, P-D(340), and contained conditions of approval thereof, and

WHEREAS, a verified application for an amendment to P-D(340) was filed by Mid-Valley Engineering on September 15, 1983, to allow a Naraghi Lakes project sign at the southwest corner of Oakdale Road and Hashem Drive, and

WHEREAS, a public hearing was held by the Planning Commission on October 24, 1983, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said hearing, the Planning Commission by its Resolution No. 83-169, found and determined that the requested amendment to P-D(340) is required by public necessity, convenience and general welfare for the following reason:

The sign to be permitted will aid in the overall identification of the Naraghi Lakes project of which this P-D is a part.

and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto at its regular meeting place in the Council Chambers, 801 11th Street, Modesto, California on November 15, 1983, at 4:00 p.m., and

WHEREAS, after hearing evidence both oral and documentary, the Council finds and determines that the requested amendment to P-D(340) is required by public necessity, convenience and general welfare for the reason set forth in Planning Commission Resolution No. 83-169 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 of Modesto City Council Resolution No. 83-599 entitled, "A Resolution Approving A Development Plan For Planned Development Zone, P-D(340)." is hereby amended to read as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(340) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Plot Plan - Naraghi Lakes Neighborhood Center" as amended in red, stamped approved by the City Council on September 20, 1983.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the west property line.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   Eight foot decorative masonry wall along the west property line

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash and other debris.

5. The developer shall improve sufficient right-of-way as required by the Director of Engineering to complete Oakdale Road, Floyd Avenue, and Hashem Drive to major and collector street standards prior to occupancy or upon demand by the City, whichever occurs first.

6. Prior to issuance of a building permit, street improvement plans shall be approved as required by the Director of Engineering.

7. Prior to occupancy, the developer shall construct full sidewalk on the Oakdale Road, Floyd Avenue, and Hashem Drive frontage as required by the Director of Engineering.

8. Drainage shall be provided as required by the Director of Engineering.

9. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Engineering.

10. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

11. All businesses may be open to the public only between the hours of 7 a.m. and 10 p.m. seven days a week, unless a use permit for each business seeking additional hours is obtained from the Board of Zoning Adjustment.

12. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Engineering.

13. The loading dock area on the west side of the shopping center may not be used for outside storage of any type of material.

14. The supermarket shall be the first use to open for business in the shopping center.

15. Three freestanding signs shall be permitted. Two may be shopping center identification signs, one each on the Oakdale Road and Floyd Avenue frontages. Each of these signs shall not exceed 72 sq. ft. and 20 feet in height. The third may be a Naraghi Lakes sign as shown on the plan titled "Entrance Wall Sign Detail", stamped approved by the Planning Commission on October 24, 1983. All other signs shall comply with the H-1 Zone sign regulations.

16. No signs higher than 8 feet shall be permitted on the west face of the buildings near the west property line.

17. Prior to the issuance of a building permit for any structure, a parcel map shall be recorded to create a separate site for the shopping center.

18. Prior to issuance of a building permit, the developer shall show on the plans submitted to Building Inspection all fire hydrants as required by the Fire Chief. All hydrants required by the Fire Chief shall be installed and operable prior to construction of any structures.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the provisions of Modesto City Council Resolution No. 83-599 approved by the Council on September 20, 1983, that are not amended or affected by the provisions of this resolution shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-761

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE REPLACEMENT OF M.I.D. IRRIGATION LINE - SYLVAN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the replacement of M.I.D. irrigation line - Sylvan Avenue

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 6, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-762

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF BIKE TRAIL AT M.I.D. LATERAL NO. 2 FROM PHOENIX TO CONEJO

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of bike trail at M.I.D. Lateral No. 2 from Phoenix to Conejo copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 6, 1983, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-763

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE POLICE TRAFFIC ENFORCEMENT MOTORCYCLE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one Police traffic enforcement motorcycle copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 13, 1983, at 3:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-764

A RESOLUTION ACCEPTING THE BID OF B & L BUILDERS FOR THE REMODELING OF THE LEGION PARK RESTROOM

WHEREAS, Resolution No.83-688, adopted by the Council of the City of Modesto on October 25, 1983 , approved the plans and specifications for the remodeling of the Legion Park restroom and authorized the calling for bids; and

WHEREAS, the bids received for the remodeling of the Legion Park restroom were opened at 11:00 a.m. on November 8, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of B & L Builders in the amount of $13,600 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of B & L Builders in the amount of $13,600 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November , 1983 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Patterson , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-765

A RESOLUTION ACCEPTING THE BID OF WESTERN TRACTION COMPANY FOR FURNISHING TWO HIGH DUMP STREET SWEEPERS

WHEREAS, Resolution No. 83-659, adopted by the Council of the City of Modesto on October 11, 1983 , approved the plans and specifications for the purchase of two high dump street sweepers and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of two high dump street sweepers were opened at 3:00 p.m. on November 1, 1983 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Western Traction Company in the amount of $194,887.36 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Western Traction Company in the amount of $194,887.36 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November , 1983 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-766

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** ALTERNATIVE METHANE FUEL PROGRAM - GAS PIPELINE PROJECT

**WHEREAS,** a report has been filed by the Director of Utility Services **that the construction of** the alternative methane fuel program - gas pipeline project **has been completed by** Bowers Company

**in accordance with the contract agreement dated** April 19, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** the alternative methane fuel program - gas pipeline project **be accepted from said contractor,** Bowers Company;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $238,254.88 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 15th **day of** November, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-767

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** BANK REPAIR AND SLOPE PROTECTION AT KEWIN PARK BIKE BRIDGE

**WHEREAS, a repcrt has been filed by the** *Director of Engineering*

**that the construction of** *bank repair and slope protection*

at Kewin Park bike bridge

**has been ccmpleted by** Modesto Sand and Gravel, Inc.

**in accordance with the contract agreement dated** October 11, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** bank repair and slope protection at Kewin Park bike bridge

**be accepted from said contractor,** Modesto Sand and Gravel, Inc.;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $28,740 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 15th **day of** November, 1983, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Hensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-768

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE HERTZ CORPORATION TO ALLOW THEM TO PROVIDE RENTAL CAR SERVICE AT THE AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** The Hertz Corporation to allow them to provide rental car service at the Airport

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 15th **day of** November, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-769

A RESOLUTION GRANTING AN EXCEPTION TO THE STANDARD SPECIFICATIONS OF THE CITY OF MODESTO FOR A SIDEWALK LOCATED AT THE NORTHWEST CORNER OF 17TH AND "I" STREETS. (DAMRELL, DAMRELL & NELSON)

WHEREAS, Section 7-1.301 of the Modesto Municipal Code provides that the Council shall approve standard drawings and specifications for sidewalks in the City of Modesto, and

WHEREAS, the Council has adopted Standard Specifications of the City of Modesto which include standard drawings and specifications for sidewalks, and

WHEREAS, Damrell, Damrell & Nelson have requested an exception from said Standard Specifications to deviate from the sidewalk requirement in the downtown area at the northwest corner of 17th and "I" Streets in the City of Modesto, to allow 25' x 8' tree planter areas instead of standard 5' x 5' planter areas, as authorized by Section 3.26 of said Standard Specifications, and

WHEREAS, the Downtown Improvement District has considered this request and is in favor of granting the request, and

WHEREAS, City staff has considered said request and recommends that said proposed deviation be modified to provide for an 18-inch wide exposed aggregate walk adjacent to the curb to allow adequate access to and from vehicles, and

WHEREAS, this Council has determined that the requested exception should be granted with the modification as recommended by City staff,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an exception is hereby granted to the Standard Specifications of the City of Modesto, in accordance with the provisions of Section 3.26 thereof, to allow non-standard exposed aggregate sidewalk with 25' x 6' tree planter areas and 18-inch wide exposed aggregate sidewalk adjacent to the curb at the northwest corner of 17th and "I" Streets, as shown on the drawing marked Exhibit A and attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers | None |

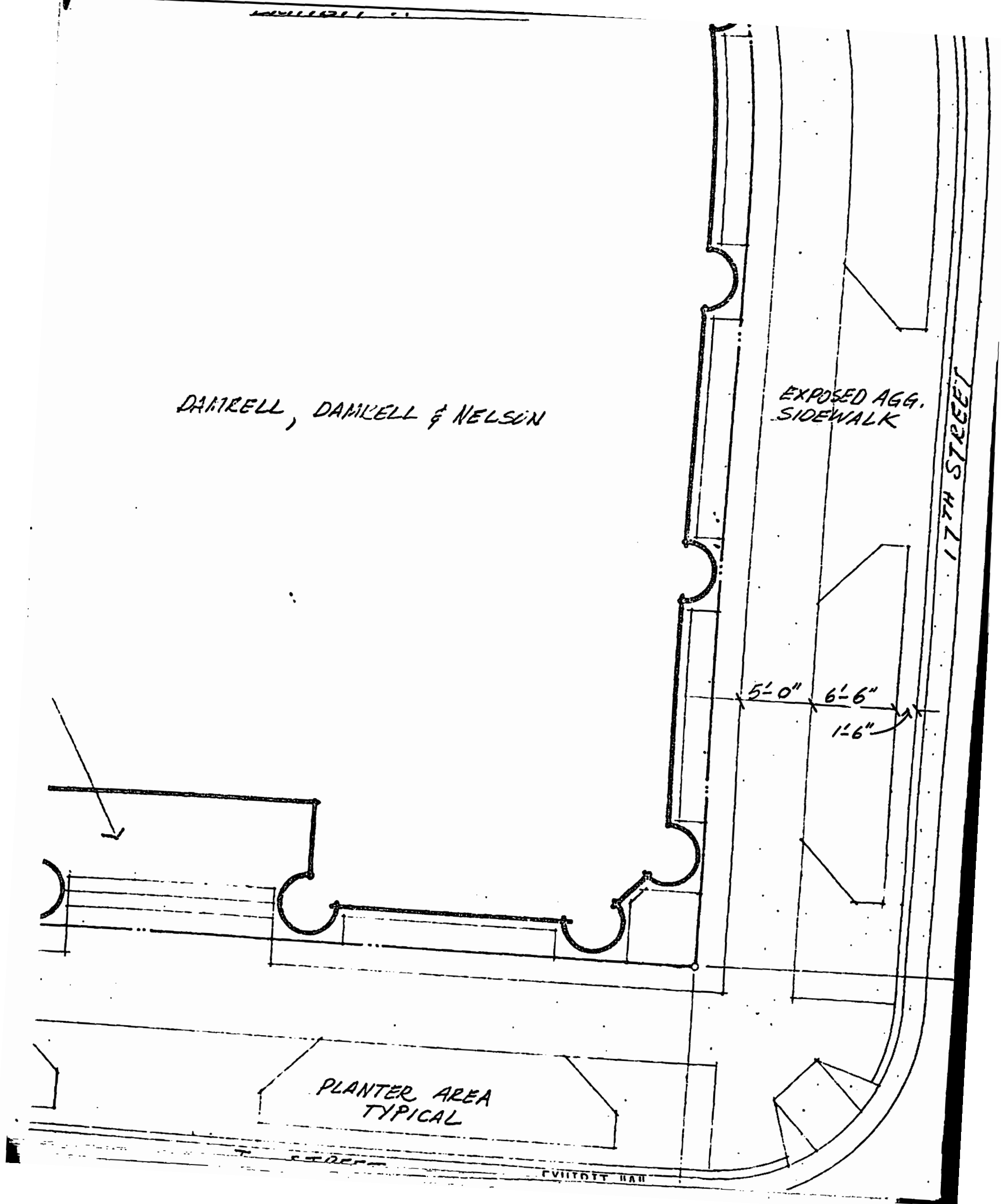
ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

DANIELL, DAMKELL & NELSON



MODESTO CITY COUNCIL
RESOLUTION NO. 83-770

A RESOLUTION APPROVING THE REQUEST OF CENTRAL VALLEY CHRYSLER PLYMOUTH FOR $721.11 REFUND OF OVERPAYMENT OF BUSINESS IMPROVEMENT AREA TAX

BE IT RESOLVED by the Council of the City of Modesto that the request of Central Valley Chrysler Plymouth for $721.11 refund of overpayment of business improvement area tax is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Patterson , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-771

A RESOLUTION VACATING AN EXCESS RIGHT-OF-WAY EASEMENT AT BLOCK 6990 IN THE CITY OF MODESTO PURSUANT TO THE CALIFORNIA STREETS AND HIGHWAYS CODE.

WHEREAS, the California Streets and Highways Code authorizes a city council, by resolution, to summarily vacate easements, and

WHEREAS, there is an easement on the real property located at 2800 McHenry Avenue, described in Exhibit "A" attached hereto, which is a 9-foot strip of excess right-of-way, and

WHEREAS, the Council finds and declares that:

1. The vacation is made pursuant to Chapter 4 (Sections 8330 et. seq.) of Part 3 of Division 9 of the Streets and Highways Code.

2. The excess right-of-way easement has not been used for the purpose for which it was dedicated or acquired for five years immediately preceding the proposed vacation.

3. That from and after the date this resolution is recorded, the excess right-of-way vacated will no longer constitute an easement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the 9-foot right-of-way easement located at 2800 McHenry Avenue in the City of Modesto which is described in Exhibit "A", which is attached hereto and incorporated by reference herein, be and it is hereby vacated, such vacation to be effective upon the recording of a certified copy of this resolution in the Stanislaus County Recorder's Office.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

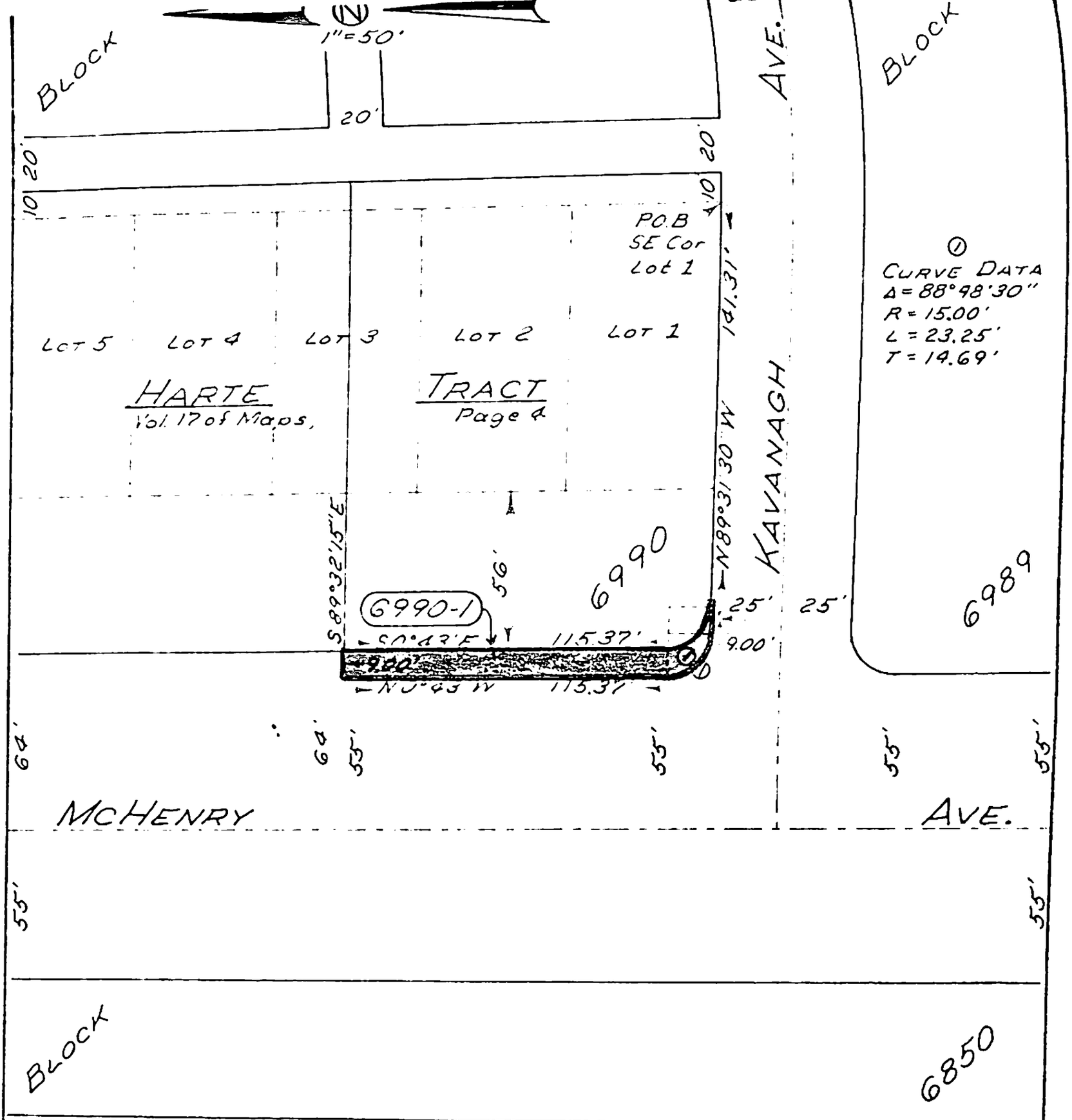
Parcel 6990-1

VACATE AND ABANDON A 9-FOOT STRIP ADJACENT
TO McHENRY AVENUE AT BLOCK 6990

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northwest quarter of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Block 6990 of the HARTE TRACT, as per map filed June 16, 1950 in Volume 17 of Maps, Page 4, Stanislaus County Records, described as follows:

Commencing at the Southeastern corner of Lot 1 in said Block 6990 of the Harte Tract; thence along the Southern line of said Lot 1 and its Westerly extension, North 89° 31' 30" West, 141.31 feet, to the true point of beginning of this description; thence continuing along said Westerly extension of the Southern line of Lot 1, North 89° 31' 30" West, 9.00 feet; thence Northwesterly along a tangent curve concave to the Northeast, having a Radius of 15.00 feet, a Central Angle of 88° 48' 30" and an Arc Length of 23.25 feet, to its point of tangency on a line which is parallel with and 55.00 feet, measured at right angles, Easterly from the West line of said Section 16 and the center line of McHenry Avenue; thence along said parallel line, North 00° 43' West, 115.37 feet, to a point on the Westerly extension of the North line of the South half of Lot 3; thence along said Westerly extension of the North line of the South half of Lot 3, South 89° 32' 15" East, 9.00 feet, to a point on a line which is parallel with and 64.00 feet, measured at right angles, Easterly from said West line of Section 16 and center line of McHenry Avenue; thence along said last mentioned parallel line, South 00° 43' East, 115.37 feet; thence Southeasterly along a tangent curve concave to the Northeast, having a Radius of 15.00 feet, a Central Angle of 88° 48' 30" and an Arc Length of 23.25 feet, to its point of tangency on said Westerly extension of the Southern line of Lot 1 and the point of beginning.

EXHIBIT "A"




| | | | |
|---|---|---|---|
| RECOMMENDED BY: | | DATE | BY |
| JERRY BUTLER | | | |
| CITY OF MODESTO<br>DEPARTMENT OF PUBLIC WORKS | VACATE AND ABANDON A 9-FOOT STRIP ADJACENT TO McHENRY AVENUE AT BLK. 6990~LD83-D | FLD. BK. & PG. | |
| ALFRED KAUFMAN DIRECTOR<br>RE 6743 | | W. O. NO. | |
| DATE: OCT. 31, 1983 / DRAWN: J. Christianson / CHECKED | | FILE NUMBER: 4~A~670 | |

MODESTO CITY COUNCIL
RESOLUTION NO. 83-772

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 24-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

WHEREAS, on November 22, 1983, the City Council introduced Ordinance No. 2229-C.S. giving approval to a project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to rezone a portion of Planned Development Zone, P-D(220), to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to rezone a portion of Planned Development Zone, P-D(220), to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-773

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (344).

WHEREAS, a verified application for an amendment to Section 28-3-9 of the Zoning Map was filed by International Association of Machinists, Local No. 1528, on August 30, 1983, to reclassify from Medium High Density Residential Zone, R-3 to Planned-Development Zone, P-D, the following described property:

R-3 to P-D

All that certain real property situate in a portion of the Southwest quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

All of lots 10 through 16 of City of Modesto Block 120.

Including also all of the Southwesterly one-half of 80-foot wide 16th Street, northeasterly one-half of 80-foot wide "G" Street and the Northeasterly one-half of the 20-foot wide alley in said Block 120 and all immediately adjacent to the above described property.

WHEREAS, after public hearing held on November 22, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The property contains an existing union hall and business office which are nonconforming uses in the R-3 zone.

2. Other adjacent or nearby properties are predominantly zoned for and/or developed with non-residential uses.

3. The proposed use would be compatible with existing and approved uses on adjacent properties.

WHEREAS, after a public hearing held on November 22, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of International Association of Machinists Local No. 1528, for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. _____-C.S. on the 22nd day of November, 1983, reclassifying the above-described property from Medium High Density Residential Zone, R-3 to Planned-Development Zone, P-D (344).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D( 344) is hereby approved subject to the following conditions:

1. The applicant shall submit revised plot plans showing all changes required by the Planning Commission prior to the City Council hearing. All development shall conform to these revised plans as amended in red, stamped approved by the Planning Commission on October 24, 1983.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. Drainage shall be provided as required by the Director of Engineering Services.

5. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Engineering Services.

6. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

7. All signs shall comply with the sign requirements of the P-O Zone.

8. The applicant shall record a "Notice of Conditions" in the Stanislaus County Recorder's Office on a form available in the Planning and Community Development Department.

9. Prior to issuance of a building permit for Phase I development, the applicant shall secure a parking covenant in a form to be approved by the City Attorney to guarantee permanent availability of 36 additional parking spaces located as required by Section 10-2.1802(b)(3) of the Modesto Municipal Code. The total parking requirement for Phase I shall be 46 spaces.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (344):

Phase I: Expansion of the existing union hall and parking facilities therefore, construction to begin on or before December 1, 1985, and to be completed by not later than December 1, 1987.

Phase II: New 5000 square foot office building and related parking, construction to begin on or before December 1, 1986 and to be completed by not later than December 1, 1988.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D ( 344 ) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Nicholas
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 83-774

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 28-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (INTERNATIONAL ASSOCIATION OF MACHINISTS, LOCAL NO. 1528)

WHEREAS, on November 22, 1983, the City Council introduced Ordinance No. 2230-C.S. giving approval to a project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Planned Development Zone, P-D(344), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Planned Development Zone, P-D(344).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 19 83, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-775

**A RESOLUTION ACCEPTING THE CONSTRUCTION OF** STORM DRAINAGE IMPROVEMENTS ON 4TH STREET FROM "J" TO "K" STREET AS COMPLETE

**WHEREAS, a repcrt has been filed by the** Directof of Engineering **that the construction cf** storm drain improvements on 4th Street from "J" to "K" Street **has been ccmpleted by** Conco-West, Inc.

**in accordance with the contract agreement dated** May 24, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the construction of** storm drainage improvements on 4th Street from "J" to "K" Street **be accepted from said contractor,** Conco-West, Inc.;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $10,686 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** November**, 19**83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-776

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF ONE AUTOMATIC FEED PLANETARY CAMERA FROM BELL & HOWELL

WHEREAS, the Management Services Records Center Division has requested the purchase of an automatic feed planetary camera to replace a rotary camera currently located in the Records Center; and

WHEREAS, Bell & Howell is the only source for an automatic feed planetary camera suitable for use in the Records Center.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one automatic feed planetary camera is hereby waived.

BE IT FURTHER RESOLVED that purchase of one automatic feed planetary camera from Bell & Howell for the total price of $9,972.48 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-777

**A RESOLUTION APPROVING** AMENDED **/AGREEMENT BETWEEN THE CITY OF MODESTO AND** VALLEY FREIGHT EXPRESS FOR THEIR LEASE OF A PORTION OF THE AIRPORT TERMINAL

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the** amended **/agreement between the City of Modesto and** Valley Freight Express to provide for six vehicle parking spaces at the Airport terminal

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** November**,** 19 83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83- 778

A RESOLUTION ESTABLISHING SEWER SERVICE CHARGES AND SUPERSEDING RESOLUTION NO. 82-403.

WHEREAS, Section 5-6.02 of the Modesto Municipal Code authorizes the Council to establish sewer service charges from time to time by resolution, and

WHEREAS, the Council has previously established sewer service charges, and

WHEREAS, City staff has recommended adjustment in the various sewer service charges, and

WHEREAS, the Council held a public hearing to consider the recommended adjustments in the sewer service charges,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEFINITIONS. Unless the context requires a different meaning, for the purposes of this resolution the definitions set forth in Section 5-6.01 of Chapter 6 of Title V of the Modesto Municipal Code entitled "DEFINITIONS" shall apply.

SECTION 2. SEWER SERVICE CHARGES FOR RESIDENTIAL SERVICE. Each person owning property within the sewer district and receiving residential sewer service shall pay a sewer service charge to the City in accordance with the following rates for the period commencing on and after February 1, 1984.

(a) The monthly sewer service charges for dwelling units, mobile homes and mobile home spaces in mobile home parks connected or required to be connected to the sewage system shall be:

| | |
|---|---|
| Each single-family dwelling or mobile home on a lot | $3.95 |
| Each dwelling unit in a duplex | 2.75 |
| One additional dwelling unit or mobile home on a lot | 2.75 |
| Each dwelling unit in an apartment building or dwelling group or mobile home space in a mobile home park | 2.20 |

(b) In areas outside the Sewer District, the monthly sewer service charges for dwelling units or mobile homes or mobile home spaces in a mobile home park shall be at the rate of 135% of the charges set forth above.

(c) For dwelling units or mobile homes required to be connected to the sewage system, but which have not been connected to said system, in addition to the sewer service charges set forth in subsection (a) above, there shall be an additional charge of One and No/100ths ($1.00) Dollar per month per premises to cover the cost of inspections to insure that the continued use of septic tanks does not cause a health hazard or nuisance.

SECTION 3. SEWER SERVICE CHARGES FOR COMMERCIAL SERVICE. Each person owning property within the sewer district and receiving commercial sewer service shall pay a sewer service charge to the City in accordance with the following rates for the period commencing on and after January 1, 1984:

(a) Commercial users (including churches) shall be grouped according to Biochemical Oxygen Demand (hereinafter referred to as B.O.D.) and Suspended Solids (hereinafter referred to as S.S.) strength characteristics and shall pay sewer service charges based on 65% of the quantity of water used measured in gallons and the waste strength characteristics measured in milligrams per liter (hereinafter referred to as mg/l). The Director of Utility Services shall determine the waste strength characteristics of commercial users and assign them to one of the following commercial users groups:

| | Sewer Service Charges Per 1000 Gals. of Water Used |
|---|---|
| Group 1<br>Combined B.O.D. and S.S. measured in mg/l is 400mg/l or less | 34¢ |
| Group 2<br>Combined B.O.D. and S.S. measured in mg/l is in the range of 401mg/l to 900 mg/l | 38¢ |
| Group 3<br>Combined B.O.D. and S.S. measured in mg/l is in the range of 901mg/l to 1400 mg/l | 44¢ |
| Group 4<br>Combined B.O.D. and S.S. measured in mg/l is over 1401 mg/l | 51¢ |

(b) Sewer service charges for commercial users outside the Sewer District shall be at the rate of $135% of the charges set forth in subsection (a) above.

(c) Notwithstanding the charges set forth in subsections (a) and (b) above, there shall be a minimum $2.00 per month sewer charge for commercial users.

(d) For commercial users required to be connected to the sewage system, but which have not been connected to said system, in addition to the sewage service charges set forth in subsection (a) above, there shall be an additional charge of One and 50/100ths ($1.50) Dollars per month to cover the costs of inspections to insure that the continued use of septic tanks does not cause a health hazard or nuisance.

(e) Commercial users shall have all water used on the premises metered in order to determine the users' sewer service charges.

(1) Commercial users on a public water system other than the City's shall obtain a metered water service from the water purveyor and shall pay the sewer service charge which would be made were such water from the City's water system.

(2) Commercial users not connected to a public water system shall allow the City to furnish, install and maintain a water meter with the user to pay for the cost of the meter and installation plus ten (10) percent. The user shall pay the sewer service charge which would be made were such water from the City's water system. Authorization shall be granted to City from user to install, read and maintain said meter by user executing an agreement on a form furnished by the Director of Utility Services.

(f) In the case of existing meters which are under the ownership of users, the City will assume responsibility for maintenance of such meters upon:

(1) Receipt of transfer of title from the owner in a form satisfactory to the Director of Utility Services, and

(2) Authorization being granted to City for reading and maintaining the meter as set forth in paragraph (e) above.

SECTION 4. SEWER SERVICE CHARGES FOR INDUSTRIAL SERVICE. Each person owning property within the sewer district and receiving industrial sewer service shall pay a sewer service charge to the City in accordance with the following rates for the period commencing on and after January 1, 1984:

(a) The monthly sewer service charges for industrial users shall be at the rate of $297.00 per million gallons of flow based on either sewage discharge or water used.

(b) If the Biochemical Oxygen Demand (B.O.D.) of the industrial waste is over two hundred (200) mg/l, then an additional charge of $25.09 per one thousand (1000) pounds of B.O.D. will be made for the B.O.D. in excess of two hundred (200) mg/l.

(c) If the Suspended Solids (S.S.) of the industrial waste is over two hundred (200) mg/l, then an additional charge of $26.10 per one thousand (1000) pounds of S.S. will be made for the S.S. in excess of two hundred (200) mg/l.

(d) Notwithstanding the charges set forth in subsection (a), (b) and (c) above, there shall be a minimum $10.00 per month sewer service charge.

(e) In those cases where an industrial user has elected to install an effluent metering device to measure industrial waste and has an unmetered connection for disposal of sanitary sewage, the Director of Utility Services may establish an estimated volume of sanitary sewage. The estimated volume shall be based upon the number and usage of plumbing fixture units contributing to the system and any other available information that indicates the volume of sanitary sewage. The quantity of flow thus estimated shall be added to the volume of industrial waste passing through the effluent meter and montnly sewer service charges shall be based upon the total volume.

(f) Sewer service charges for industrial users outside the sewer district shall be at the rate of 135% of the charges set forth in subsections (a), (b), (c), (d), and (e) above.

SECTION 5. PREPAID SEWER SERVICE CHARGES. Any person who has prepaid sewer service charges for residential sewer service and the period for which said sewer service charges were prepaid includes period covered by Section 2 of this resolution shall be entitled to receive sewer service for said period for the prepaid rates.

SECTION 6. EFFECTIVE DATE. The Commercial and Industrial Sewer Service Charges estabished by this resolution shall become effective and apply on and after January 1, 1984, and the Residential Sewer Service Charges established by this resolution shall become effective and apply on and after February 1, 1984.

SECTION 7. SUPERSEDES PRIOR RESOLUTION. This resolution supersedes Modesto City Council Resolution No. 82-403.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1983, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-779

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** WILLIAM L. AND SHEREL E. SWEELEY FOR TIME PAYMENT FOR WATER AND SEWER SERVICE OUTSIDE CITY LIMITS AT 1106-1108 NORTH NINTH STREET

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** William L. and Sherel E. Sweeley for time payment for water and sewer service outside City limits at 1106-1108 North Ninth Street, located on the east side of North Ninth Street between Clayton and Carver Streets **be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** November, **19**83, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Sutton, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-780

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** WILLIAM L. AND SHEREL E. SWEELEY FOR TIME PAYMENT FOR WATER AND SEWER SERVICE OUTSIDE CITY LIMITS AT 1136 NORTH NINTH STREET

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** William L. and Sherel E. Sweeley for time payment for water and sewer service outside City limits at 1136 North Ninth Street, located on the east side of North Ninth Street between Clayton and Carver Streets **be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 22nd **day of** November**, 19**83**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Sutton**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Maxine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-781

A RESOLUTION APPOINTING MEMBER OF THE AIRPORT ADVISORY COMMITTEE (JIM VAN HEUKELEM)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Airport Advisory Committee for the respective term as indicated:

Jim Van Heukelem
700 Tioga Drive
Modesto, Ca. 95351

Term expires 1/1/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Airport Advisory Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 19 83, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-782

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ATHLETIC AND RECREATIONAL EQUIPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of athletic and recreational equipment

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 27, 1983, at 3:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-783

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF HERNDON AVENUE IMPROVEMENTS ALONG THE EAST SIDE OF MANCINI PARK - BLOCK 3500

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of Herndon Avenue improvements along the east side of Mancini Park - Block 3500 copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 20, 1983, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-784

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND APPROVING ALREADY MADE PAYMENTS TO DESIGN CONCEPTS OF 75% OF THE FIXED FEE FOR ARCHITECTURAL SERVICES FOR FIRE DEPARTMENT FACILITIES

WHEREAS, an agreement was entered into on October 13, 1981, between the City of Modesto and Design Concepts with a fixed price of $4,000, for architectural services for Fire Department Facilities; and

WHEREAS, the agreement provides that upon approval by resolution of the City Council of the working drawings, specifications and bid documents, a payment of a sum not to exceed the total of 80% of the total fixed fee less any previous payment be made; and

WHEREAS, satisfactory working drawings, specifications and bidding documents have been received and are now available for the City to use, if and when additional Fire Department Facilities are required.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Modesto approves the working drawings, specifications and bidding documents and approves the already made payments to Design Concepts of 75% of the fixed fee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-785

A RESOLUTION ACCEPTING THE BID OF THREE RIVERS CONSTRUCTION FOR PARADISE WATER LINE EXTENSION

WHEREAS, Resolution No.83-737, adopted by the Council of the City of Modesto on November 8, 1983, approved the plans and specifications for the Paradise water line extension and authorized the calling for bids; and

WHEREAS, the bids received for the Paradise water line extension were opened at 11:00 a.m. on November 29, 1983 and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Three Rivers Construction in the amount of $58,925 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Three Rivers Construction in the amount of $58,925 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-786

A RESOLUTION ACCEPTING THE BID OF J.M. LIFT TRUCKS FOR FURNISHING TWO POLICE TRAFFIC SCOOTERS

WHEREAS, Resolution No. 83-691, adopted by the Council of the City of Modesto on October 25, 1983, approved the plans and specifications for the purchase of two Police traffic scooters and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of two Police traffic scooters were opened at 3:10 p.m. on November 15, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of J.M. Lift Trucks in the amount of $10,547 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of J.M. Lift Trucks in the amount of $10,547 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-787

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ALTERNATIVE METHANE FUEL PROGRAM - GAS PROCESSING SYSTEM AS COMPLETE

WHEREAS, a report has been filed by the Director of Utility Services that the construction of the alternative methane fuel program - gas processing system has been completed by Dwight Lang's Enterprises, Inc.

in accordance with the contract agreement dated June 21, 1983.

NOW, THEREFORE, BE IT RESOLVED that the construction of alternative methane fuel program - gas processing system be accepted from said contractor, Dwight Lang's Enterprises, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $178,111.37 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-788

**A RESOLUTION ACCEPTING THE** SLURRY SEAL OF RESIDENTIAL STREETS, 1983-84, PROJECT AS COMPLETE

**WHEREAS, a report has been filed by the** Director of Engineering **that the** slurry seal of residential streets, 1983-84, project **has been completed by** California Pavement Maintenance **in accordance with the contract agreement dated** June 28, 1983.

**NOW, THEREFORE, BE IT RESOLVED that the** slurry seal of residential streets, 1983-84, project **be accepted from said contractor,** California Pavement Maintenance;

**that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $87,160.20 **as provided in the contract, be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** December, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-789

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** TO CONSIDER PROPOSED AMENDMENTS TO THE MAP OF THE LAND USE AND CIRCULATION ELEMENTS OF THE MODESTO URBAN AREA GENERAL PLAN PERTAINING TO THE BRIGHTON AVENUE AREA AND RICHLAND AVENUE/FREEWAY 99 INTERCHANGE IN CERES

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** January 10, 1984 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** proposed amendments to the map of the Land Use and Circulation Elements of the Modesto Urban Area General Plan pertaining to the Brighton Avenue area and Richland Avenue/Freeway 99 interchange in Ceres.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** December**,** 1983**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-790

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** REGARDING SELECTION OF AN ALTERNATE FOR HIGHWAY 132, "D" STREET TO LAS FLORES AVENUE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** January 10, 1984 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** selection of an alternate for Highway 132, "D" Street to Las Flores Avenue.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** December**, 19**83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-791

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** TO CONSIDER PROPOSED ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF MODESTO OF UP TO $6.8 MILLION OF INDUSTRIAL REVENUE BONDS FOR STANISLAUS FOODS PRODUCTS COMPANY

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** December 20, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** proposed issuance by the Industrial Development Authority of the City of Modesto of up to $6.8 million of Industrial Revenue Bonds for Stanislaus Foods Products Company for expansion of their tomato company plant.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** December**, 19** 83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | None |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-792

A RESOLUTION APPROVING AN ADDITIONAL EXPENDITURE OF $6,083 FOR THE REPAIR OF THE CITY OF MODESTO SEWER OUTFALL LINE.

WHEREAS, on Thursday, August 18, 1983, the City of Modesto sewer outfall line which connects the Primary Treatment Plant to the Remote Pond Site started leaking at pipe joints in an area between Hackett Road and Vivian Road causing raw primary effluent sewage to overflow in an adjacent privately owned almond orchard, and

WHEREAS, the raw sewage overflow created an immediate hazard to the public health and danger to adjacent properties that had to be alleviated, and

WHEREAS, it was determined that Conco-West, Inc. had employees and equipment available to assist the City of Modesto's Utility Services Department personnel to repair the pipe joints as soon as possible, and

WHEREAS, said repair work had to be performed immediately in order to eliminate the hazard to the public health and to prevent further damage to the adjacent private almond orchard, and

WHEREAS, on August 23, 1983, the Council, by Resolution No. 83-554, approved the issuance of a purchase order to Conco-West, Inc. for $24,500.00 to cover the cost of work to be performed by Conco-West, Inc. in the repair of the pipe joints of the sewer outfall line, and

WHEREAS, after said Council action, two additional leaks occurred which extended the cost of tne work performed by Conco-West, Inc by an additional $3,500.00, and

WHEREAS, the original quotations for the work to be performed by Conco-West, Inc. did not anticipate nor include water pumping or mud excavation, and

WHEREAS, tne first seven days of repair work did involve water pumping and mud excavation at an additional cost of $2,582.43,

NOW, THEREFORE, BE IT RESOLVED by the Council of tne City of Modesto that it hereby approves an additional expenditure of $6,083.00 for additional work performed by Conco-West, Inc. for the repair of the City of Modesto sewer outfall line.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on tne 6th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-793

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS ABOLISHED. The position Classification Plan of the City of Modesto is hereby amended to abolish the following classifications:

Management Assistant

Purchasing Assistant I

Purchasing Assistant II

SECTION 2. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is hereby amended to create the following new classifications:

Claims Representative

Payroll Technician

Principal Management Analyst

Purchasing Assistant

Senior Buyer

The specifications for the classifications created, as shown on the attached Exhibits "A", "B", "C", "D" and "E", which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

SECTION 3. CLASSIFICATIONS AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to amend the specifications for the following classifications, as shown on Exhibits "F", "G", "H", "I", "J", and "K", which are hereby made a part of this resolution by reference and are hereby approved and made a part of tne Position Classification Plan of the City of Modesto:

Accounting Technician

Assistant Risk Manager

Collections Supervisor

Purchasing Officer

Risk Management Technician

Risk Manager

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Bright ,Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney



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## DEFINITION

Under direction, to perform technical work in the areas of risk management including, but not limited to, Workers' Compensation administration, Public Liability claims, safety and loss prevention, and other related work as required.

## EXAMPLES OF DUTIES

Reviews accident/injury reports to determine proper action under Workers' Compensation laws and regulations; adjusts Workers' Compensation claims in accordance with applicable laws and regulations; after review with the Risk Manager, establishes and maintains monetary reserves to cover medical costs and projected compensation costs; initiates payment of temporary disability and permanent disability payments in accordance with applicable laws and regulations; performs periodic review of assigned Workers' Compensation claims to assure proper and timely payments; communicates verbally and in writing with injured workers, physicians, attorneys, insurance claims representatives, and others regarding assigned Workers' Compensation claims; reviews potential claims against the City, including accident, incident, and police reports for completeness and clarity; sets up and maintains files of all City risk management insurance claims, including control and cost records and procedures for claims processing and follow-up; using written guidelines, determines type of claim to be processed such as liability, property or crime, and determines procedure to be followed; initiates and prepares billing for vehicular and non-vehicular damage to City property caused by third parties from information provided by departments; contacts all levels of City personnel, other public agencies, insurance adjusters, attorneys, and claimants by telephone to obtain and provide claims information such as description of incident or accident, culpability, costs, status, action taken, and established procedures related to the risk management program; conducts special surveys and projects; gathers and analyzes information for risk management; prepares various studies; obtains and distributes a wide variety of safety materials; prepares reports for CAL-OSHA.

## SPECIAL REQUIREMENTS

License: Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Probation: All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

State of California letter of verification of competency in Workers' Compensation laws and regulations must be obtained within twelve (12) months of the date of appointment.

## EMPLOYMENT STANDARDS

Knowledge of:

Workers' Compensation laws and benefit administration;
Principles of safety and loss prevention;

Business letter writing and forms;
Correct English usage, spelling, grammar, and punctuation;
Business mathematics;
Basic statistical methods;
Modern office practices and procedures, especially as they relate to record maintenance, filing, and document processing;
CAL-OSHA record keeping procedures;
Principles of Public Liability insurance and claims procedures;
Medical terminology;
Principles of training and work assignments;

and

Ability to:

Meet the public and employees tactfully and courteously and answer questions in person and over the telephone;
Understand and interpret policies, procedures, rules and regulations, and apply them with good judgment;
Perform technical work in the area of risk management, involving Workers' Compensation, Public Liability, safety and loss prevention;
Compose correspondence and initiate telephone communications concerning routine decisions;
Compile and analyze information regarding existing procedures;
Express ideas clearly and concisely in oral and written communications;
Make arithmetical calculations with speed and accuracy;
Prepare accurate and complete reports;
Schedule time and work under pressure;
Adapt with flexibility to change;
Perform job duties in a manner assuring a safe working environment for oneself and others;
Work with and control sensitive confidential information on assignment;
Establish and maintain effective working relationships with the general public, coworkers, supervisors, and members of diverse cultural and linguistic backgrounds, regardless of race, creed, color, religion, sex, age or handicap;

and

Experience:

Three (3) years of experience in insurance claims/loss control, risk management administration, safety, or some closely related field.

## DEFINITION

Under direction of the Accounting Division Manager, to be responsible for the central payroll; to process all required reports; to provide information on payroll related matters; and to do related work as required.

## EXAMPLES OF DUTIES

Receives, verifies and balances payroll reports from all departments; prepares payroll input sheets for data processing; prepares, maintains, and adjusts employee time records for data entry of timeroll and personnel action changes (step increases, vacation, leave without pay, etc.); establishes and maintains payroll records of salary, benefits, and deductions on each employee; verifies data processing audit register, correcting errors and preparing manual checks; reconciles detailed records of employee earnings, deductions and leave usage; reconciles and submits all payroll tax reports; calculates and processes dental, health, life, vision, and long-term disability insurance reports; computes and processes deferred compensation and retirement reports; sets up deferred compensation accounts for employees and computes state and federal taxes; provides research and procedural information to the meet-and-confer process; assigns, reviews, and evaluates the work of subordinate technical and clerical personnel.

## EMPLOYMENT STANDARDS

Knowledge of:

Practices of accounts and financial record keeping;
Principles, methods and procedures in governmental accounting;
Applicable laws, rules and functions of the City Finance Department;
Locating and verifying information;
Data processing concepts;
Business mathematics;
Filing methods and procedures;
Modern office methods and procedures;
Correct English usage, spelling, grammar, and punctuation;
Principles of training and work assignments;

and

Ability to:

Establish and maintain complete, accurate financial records;
Prepare statistical reports;
Make arithmetical calculations with speed and accuracy;
Present data in both oral and written reports;
Analyze data and present logical conclusions;
Skillfully operate 10-key adding and calculating equipment;

Account for cash, checks, warrants, vouchers, tickets or tokens and issue receipts;
Understand and follow oral and written instructions;
Train and supervise subordinate technical and clerical employees;
Meet the public tactfully, courteously and firmly and answer complaints and questions in person and over the telephone;
Establish and maintain cooperative relationships with the public and coworkers;

and

Experience:

Four (4) years of payroll experience, preferably including municipal government payroll experience.

# PRINCIPAL MANAGEMENT ANALYST

## DEFINITION

Under general direction, to perform the more complex administrative, organizational, and research assignments; to plan, assign, review and evaluate the work of subordinate personnel; and to do related work as required.

## DISTINGUISHING CHARACTERISTICS

Incumbents in this class are primarily responsible to the Director of Management Services to provide assistance to the City Manager and City Council, to handle intergovernmental relations, and to supervise a portion of the Management Services Department functions. This class differs from Administrative Analyst in the terms of increased responsibility and latitude of judgment given at this level.

## EXAMPLES OF DUTIES

Conducts regular and special studies including the collection of data, analysis and summary of results and interpretation and evaluation of findings; makes written and oral reports; reviews and makes recommendations on the impact of pending state and federal legislation; acts as liaison to league, state or federal staff officials; reviews grants availability, recommends such availability, develops strategies to implement City policies and coordinates City effort at obtaining grants-in-aid; attends various City Council, Commissions and other governmental meetings, as assigned; serves as staff to Council Committees, as assigned; reviews and responds to citizen's requests for services; provides economic and statistical analysis and makes recommendations; reviews administrative practices and makes recommendations for improvements; develops and implements public relations activities; plans, assigns, reviews, and evaluates the work of subordinate personnel.

## SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Knowledge of:

Local, state and federal governmental structure and process;
California Legislature and federal congressional procedure;
Principles of organization, administration, and management;
Public finance and budgeting;
Modern office methods and procedures;

*EMPLOYMENT STANDARDS (Continued)*

*Statistical methods and methods of graphic presentation;*
*Completed staff work in oral and written presentation;*
*Computer capabilities and limitations is highly desirable.*

and

Ability to:

Conceptualize, develop alternatives, and recommend action for top management in a public official decision-making structure;
Learn and coordinate the City's grants-in-aid proposals;
Analyze and interpret factual data;
Prepare completed staff work for oral and written presentations;
Speak and write effectively;
Work in harmony with other members of City staff;
Establish and maintain cooperative relations with coworkers, departmental representatives, and the general public;

and

Experience:

One year as Administrative Analyst with the City of Modesto,

or

Three years of full-time municipal government staff work, with direct assignment to the office of a department, division, or agency head, or the office of a city or county administrative officer;

and

Education:

Graduation from an accredited college or university. (A Master's degree in public or business administration is highly desirable and may be substituted for one year experience.)

## DEFINITION

Under general supervision, to perform a variety of technical duties in the purchase of supplies, materials and equipment; to supervise disposal and auction of obsolete and surplus equipment and supplies; and to do related work as required.

## EXAMPLES OF DUTIES

Reviews purchase requisitions for accuracy, completeness, accuracy of description, proper extension of taxes and total costs, and conformance to adopted budgets and policies; insures the accuracy of records and code numbers for accounts payable records; compares and analyzes quotations and bids; obtains bids and price estimates by telephone and mail from vendors; interviews and corresponds with vendors regarding their products; supervises the annual auction and other disposal of obsolete and surplus equipment and materials; prepares requisitions for stores supplies; receives, stores and issues items from central stores; issues and receives keys in the establishment of the key control program.

## SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

## EMPLOYMENT STANDARDS

Knowledge of:

Purchasing methods and procedures and of the techniques of specification writing;
Methods and techniques utilized in grading and analyzing the quality of supplies, materials, and equipment;
Techniques of inventory and warehousing.

and

Ability to:

Learn Federal, State and municipal purchasing laws and procedures;
Prepare specifications;
Evaluate quality and price of products to judge suitability of goods and alternatives offered;

Communicate clearly and concisely, orally and in writing;
Tactfully and skillfully obtain the right materials and services at the right time for a fair and reasonable price;
Maintain adequate inventory controls and supervise physical inventories of items;
Adapt to changing safety requirements,
Perform manual labor, meaning lifting, carrying at least thirty (30) pounds of weight;
Operate a fork lift;
Establish and maintain cooperative relationships with departmental representatives and vendors and others contacted during the course of work.

Experience:

Option I
Two (2) years as Evidence & Property Specialist, Property Control Aide, Storeskeeper, or Senior Storeskeeper with the City of Modesto.

or

Option II
Three years full-time experience in warehousing, inventory stock control, or purchasing work.

## DEFINITION

Under direction, assists in the supervision of staff and in the development and implementation of policies and procedures for the central purchasing function in the Finance Department; and to do related work as required.

## EXAMPLES OF DUTIES

Supervises and participates in the investigation of sources of supply of supplies, materials, and equipment required by the various departments and divisions of the City; conducts research to determine new, acceptable fields for use in the bid system; reviews requisitions for correct ordering information; obtains bids and price estimates by telephone and mail from vendors; negotiates and maintains service and maintenance contracts on behalf of the City; investigates sources of supply; compares and analyzes quotations and bids; prepares requisitions for stores supplies; interviews and corresponds with vendors regarding their materials, services, and products; confers with officials of City departments and divisions to determine their purchasing needs and specifications; assists with the implementation of more effective procurement techniques; assists in the development of division goals; may provide training, assign work to, and evaluate the performance of subordinate employees; in the absence of the Purchasing Officer, assumes all responsibilities of the Purchasing Officer.

## SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation.

Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Knowledge of:

- Laws and regulations applicable to bidding procedures and purchasing operations;
- Principles and practices of a central purchasing operation, including specification writing;
- Commodity markets, marketing practices, and commodity pricing methods;
- Sources of supply and terminology used in purchasing;

*Government purchasing and stock record systems;*
*Procedures of procuring highly technical materials, supplies, and services;*
*Principles of supervision and training.*

*Ability to:*

Supervise the purchase of a variety of supplies, materials, and equipment;
Prepare equipment and materials specifications;
Make accurate price and quality comparisons in the evaluation of bids and materials, supplies, and equipment needs;
Communicate clearly in oral and written presentations;
Keep accurate records;
Assign work, train, and evaluate the work of subordinate staff;
Establish and maintain effective public relations with the public, vendors, and City officials.

Experience and Education:

Two (2) years of increasingly responsible experience in purchasing for a governmental agency comparable to a Purchasing Assistant for the City of Modesto; supervisory experience is desirable.

and

Equivalent to graduation from an accredited college or university with a major in business administration, merchandising, or a closely related field. (Additional qualifying experience in buying or public purchasing work may be substituted for the required education on the basis of two years experience for one year of education.)

# ACCOUNTING TECHNICIAN

## DEFINITION

Under direction, to perform complex and highly responsible clerical work required in the maintenance of fiscal and statistical records; to prepare reports and correspondence; and to do other related work as required.

## DISTINGUISHING CHARACTERISTICS

This is the advanced journey level of the Account Clerk series. This class is distinguished from the class of Senior Account Clerk by the degree of difficulty and complexity of work performed and/or by the direct supervision of several lower level clerical employees.

## EXAMPLES OF DUTIES

(Not all duties are included and a position may not perform all duties listed.)

Maintains journals and ledgers of financial transactions and prepares analytical reports on revenues and expenditures; compiles a variety of narrative and statistical reports, locating sources of information, devising forms to secure data, and determining the proper format for finished report; provides information and assistance to other City personnel and the general public regarding applicable departmental policies, rules and procedures; maintains general, statistical, and cost records and file systems; posts transactions to journals and ledgers; examines documents and computer printouts for accuracy; may assign, review, and evaluate the work of subordinate technical and clerical personnel.

## EMPLOYMENT STANDARDS

Knowledge of:

Practices of accounts and financial record keeping;
Principles, methods and procedures in governmental accounting;
Applicable laws, rules and functions of the City Finance Department;
Locating and verifying information;
Data processing concepts;
Business mathematics;
Filing methods and procedures;
Modern office methods and procedures;
Correct English usage, spelling, grammar, and punctuation;
Principles of training and work assignments;

and

*Ability to:*

*Establish and maintain complete, accurate financial records;*
*Prepare statistical reports;*
*Make arithmetical calculations with speed and accuracy;*
Present data in both oral and written reports;
Analyze data and present logical conclusions;
Skillfully operate 10-key adding and calculating equipment;
Account for cash, checks, warrants, vouchers, tickets or tokens and issue receipts;
Understand and follow oral and written instructions;
Train and supervise subordinate technical and clerical employees;
Meet the public tactfully, courteously and firmly and answer complaints and questions in person and over the telephone;
Establish and maintain cooperative relationships with the public and coworkers;

and

Experience:

Two (2) years as an Account Clerk or one (1) year as a Senior Account Clerk with the City of Modesto,

or

Four (4) years of bookkeeping or statistical record keeping experience, preferably including responsibility for providing work direction in municipal accounting and fiscal record keeping operations.

## DEFINITION

Under direction, to plan, organize and supervise the work of a major division of Risk Management - including but not limited to property and casualty insurance, Workers' Compensation, Employee Safety, and Public Loss Prevention programs; to develop factual information and present recommendations to the Risk Manager; to act in the absence of the Risk Manager; and to perform related work as required.

## EXAMPLES OF DUTIES

Supervises, plans, organizes, and directs several Risk Management programs; acts in the absence of the Risk Manager; conducts Employee Safety inspections and Public Loss Prevention surveys, and prepares recommendations for corrective action; prepares and distributes safety material and aids; implements and conducts safety training for City employees; surveys and develops adequate and appropriate insurance protection covering all City-owned Real and Personal Properties, Public Liability, Workers' Compensation, and Employee Bonds; administers Public Liability Self-insured Program; investigates and adjusts claims; administers Workers' Compensation Self-insured Program and closely monitors claims administrators' activities; maintains accurate statistical records and provides quarterly and annual reports for distribution of injury/accident experience within the City departments/divisions; maintains complete and confidential records and files; conducts special surveys, gathers and analyzes the information, and prepares recommendations to the Risk Manager.

## SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate vehicle operator's license issued by the California Department of Motor Vehicles within one month after appointment.

State of California verification of competency in Workers' Compensation laws and regulations must be obtained no later than twelve (12) months from the date of appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Knowledge of:

Principles of organization, administration and management;
Workers' Compensation, general liability, and it's applicable laws;
Property insurance;

*Bonds;*
*General Safety Orders (CAL-OSHA);*
*Safety engineering principles, procedures and techniques;*
*Statistical methods and graphic presentations;*
*Completed staff work in oral and written presentations;*
*Principles of supervision and training.*

and

Ability to:

Supervise, plan, organize, and direct programs in risk management;
Assume responsibility for and provide supervision to Workers' Compensation, Public Liability, Property, Employee Safety, and Public Loss Prevention functions;
Effectively communicate with officials, employers, and with the public, in group meetings and in discussions;
Prepare completed staff work for oral and written reports;
Interpret rules, laws, policies, and apply them with good judgment;
Schedule time and work under pressure;
Adapt with flexibility to change;
Perform job duties in a manner assuring a safe working environment for oneself and others;
Work with and control sensitive, confidential information on assignment;
Establish and maintain cooperative working relationships with other agency officials, attorneys, departmental representatives, employees, and the public.

and

Experience:

Four (4) years of experience in the management and operation of risk management programs including: Workers' Compensation, Public Liability, Property Insurance, Employee Safety, and Public Loss Prevention; insurance claims investigation and adjusting.

or

Two (2) years of experience comparable to a Claims Representative with the City of Modesto,

and

Education:

The following is desirable and <u>not</u> mandatory. It will be considered at time of selection.

Graduation from an accredited college or university with a major in risk management, insurance, or a closely related field.

## DEFINITION

Under direction of the Revenue Division Manager, to supervise and participate in the collection of license fees, assessments, water, garbage, and sewer consumer fees, to enforce provisions of City Business License Ordinances; and to do related work as required.

## DISTINGUISHING CHARACTERISTICS

This single position classification is in charge of the License and Collections section of the Revenue Division. This section is responsible for the issuing of business licenses; the collection of fees for services and other considerations due the City; for the collection of taxes and other charges levied through City ordinances; and the collection of penalties and of small claims awarded the City. The incumbent is responsible for the interpretation of ordinances related to the collection and licensing services and for their consistent and equitable enforcement. This class is charged with responsibility for fiscal accountability for all monies received by this section and for ensuring the exercise of adequate accounting controls.

## EXAMPLES OF DUTIES

Plans, organizes, assigns, reviews and evaluates the work of subordinates in the billing, receipt, and deposit of monies received in the payment of water, garbage, sewer bills, building permits, and other payments owed to the City; supervises and participates in the enforcement of the City Business License Ordinances, including maintenance of records, resolving complaints, and coordination with other governmental or private agencies; determines which accounts will be sent to collection agencies; determines which water/garbage accounts will have service discontinued; initiates action to collect overdue and/or unpaid fees owed to the City; represents the City in small claims court; contacts persons by telephone, letter, or field visit to advise him/her of obligation and procedure for compliance; handles difficult customer complaints in person and by telephone; ensures adequate training and working conditions; keeps accurate and current records on status of accounts; and prepares reports.

## SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

License: Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month of appointment.

Probation: All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

*EMPLOYMENT STANDARDS*

*Knowledge of:*

*Municipal ordinances governing licenses, taxes and revenue collections;*
Office administration and sound personnel practices;
Accepted accounting procedures and practices;
Methods of public contact associated with compliance and collections;
Modern office practices, procedures, and equipment;
Principles and applications of electronic data processing;
Practices of effective communication and public relations;
Principles of supervision and training.

Ability to:

Plan, direct, review and evaluate the work of others;
Study and analyze work practices and recommend alternatives for improvements;
To understand and write specifications for EDP systems utilized in billing and collection activities;
Supervise, train and evaluate technical and clerical personnel;
Interpret and enforce policies, laws, rules, and regulations pertaining to City licensing and utility billing requirements;
Compile and analyze financial data;
Prepare a variety of statistical reports and maintain financial records;
Understand and carry out oral and written instructions;
Exercise sound judgment;
Communicate effectively orally and in writing;
Meet the public tactfully, courteously and firmly and answer complaints and questions in person and over the telephone;
Establish and maintain cooperative relationships with those contacted during the course of work.

Experience:

Five (5) or more years experience in collections, billing, or related public contact work, preferably including one or more years in the billing department of a private or municipal utility.

Two (2) or more years completed at an accredited college or university may be substituted for one (1) year of the required experience. Sixty (60) semester or ninety (90) quarter units is an academic year. The course work would be preferably in business administration, accounting, speech, communication, or public relations.

## DEFINITION

Under general direction, to plan, direct and participate in the centralized procurement of supplies, materials, and equipment as required by the various departments and divisions of the City; to supervise the storage, inventory, and disposal of items; and to do related work as required.

## DISTINGUISHING CHARACTERISTICS

The Purchasing Officer is responsible for obtaining maximum efficiency and economy in buying and utilizing materials, supplies, equipment, and services. Within budgeted funds, the Purchasing Officer has authority to place orders for up to $5,000 without securing higher level approval. These duties require considerable tact, initiative, sound practical judgment, and knowledge of the purchasing field in consulting with and serving the interests of all units of the City and in dealing with vendors and manufacturers. The incumbent supervises the work of others assisting in the work of the purchasing office; and through a subordinate supervisor, the operation of a central stores warehouse.

## EXAMPLES OF DUTIES

Plans, supervises, and participates in the work involved in soliciting quotations, placing and expediting orders, filling requisitions, keeping records and processing purchase orders, bids, quotations, and requisitions; prepares formal bid specifications and makes bid recommendations; prepares and coordinates division's annual budget; assists with departmental budgets by providing information on prices, products, materials, and services; participates in evaluation of awards to consultants; purchases capital outlay items; analyzes purchasing systems and procedures including EDP applications and makes appropriate recommendations; interprets policies, rules, and regulations governing the City's purchasing activities; participates in intergovernmental meetings for purposes of standardizing specifications, preparing purchasing ordinances, and developing cooperative methods and practices; confers with vendors and product representatives; supervises the storing, inventorying, and disposing of items; directs inspection of received goods and services and the processing of damage claims; insures the proper follow-up of unfilled or improper shipments; develops new sources of materials and equipment; researches inventory problems; under the Affirmative Action Plan, fulfills the duties of Minority Business Enterprises Liaison officer; supervises, trains, assigns and evaluates the work of subordinate employees.

## SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation.

*Satisfactory performance and recommendation of the department head is required for regular status.*

*EMPLOYMENT STANDARDS*

*Knowledge of:*

Laws and regulations applicable to bidding procedures and purchasing operations;
Principles, practices, and procedures of purchasing and general applications of EDP to purchasing operations;
Sources of supply, commodity markets, marketing practices and commodity pricing methods and differentials;
Market conditions, current prices, trade names and brands relating to purchasing for a municipality;
Proper methods of establishing specifications;
Methods of stores inventory control;
Principles of supervision and training.

Ability to:

Plan, supervise, and evaluate the work of others;
Plan and schedule purchasing for greatest economy, efficiency, and service;
Interpret laws, rules, and regulations;
Analyze and interpret market prices and trends;
Make accurate price and quality comparisons in the evaluation of bids, materials, and equipment needs;
Analyze purchasing procedures and recommend improvements;
Prepare equipment and materials specifications;
Keep accurate records;
Communicate clearly in oral and written presentations;
Establish and maintain cooperative relations with the public, vendors, and City officials.

Experience:

Option I
Two years as Senior Buyer or Warehouse Supervisor for the City of Modesto.

Option II
Four (4) years of increasingly responsible experience in purchasing for a large business, non-profit agency, or a governmental agency; supervisory experience is desirable.

Education:

Equivalent to graduation from an accredited college or university with a major in business administration, merchandising, or a closely related field. (Additional experience in buying or public purchasing work may be substituted for the required education on the basis of two years experience for one year of education.)

## DEFINITION

Under general supervision, to perform technical work in the areas of risk management insured and self-insured employee benefits administration, including but not limited to employee dental insurance, vision insurance health insurance, long-term disability insurance, life insurance, and other related work as required.

## EXAMPLES OF DUTIES

Performs technical assignments in the City's insurance programs; conducts special surveys and projects; gathers and analyzes information and prepares various studies; answers questions on the status of insurance claims; prepares necessary forms and routine reports; acts as liaison with the City's medical, dental, LTD, vision, and life insurance administrators; gives information to City employees regarding rules, regulations and procedures, including dental, health, LTD, vision, and life insurance; prepare damage reports and billings on recovery of damages; serves as staff to the Deferred Compensation Committee; maintains and processes deferred compensation records; processes applications for retirement and serves as liaison with P.E.R.S.

## SPECIAL REQUIREMENTS

License: Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Probation: All those appointed snall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

## EMPLOYMENT STANDARDS

Knowledge of:

- Principles of insurance and claims handling in a governmental agency;
- Medical technology;
- City of Modesto personnel rules and administrative orders;
- Arithmetic;
- Correct English usage, spelling, grammar, and punctuation;
- Modern office practices and procedures, especially as they relate to record maintenance and document processing;

and

Ability to:

- Meet and communicate with the public;
- Interpret rules, laws, and policies, and apply them with good judgment;
- Perform technical work in the area of risk management, involving dental, health, LTD, vision, and life insurance;

*Compile and analyze information regarding existing procedures;*
*Express ideas clearly and concisely in oral and written communications;*
*Initiate correspondence and telephone communications concerning routine decisions;*
Schedule time and work under pressure;
Adapt with flexibility to change;
Perform job duties in a manner assuring a safe working environment for oneself and others;
Work with and control sensitive confidential information on assignment;
Establish and maintain effective working relationships with the general public, coworkers, supervisors, and members of diverse cultural and linguistic backgrounds, regardless of race, creed, color, religion, sex, age or handicap.

and

Experience:

Two (2) years experience in risk management, employee benefits administration, or insurance claims/loss control office.

Two or more years completed at an accredited college or university (sixty (60) semester or ninety (90) quarter units) may be substituted for one year of the required experience provided that there were courses in insurance, loss control administration, industrial psychology or employee group insurance benefits administration.

## DEFINITION

Under general direction, to plan, develop, organize, and coordinate the City's risk management program which includes self-insured and insured coverage for liability, property, vehicular physical damage, catastrophe, crime and transportation; to direct and supervise the self-insured Workers' Compensation, vocational rehabilitation and safety programs; and to perform related work as required.

## EXAMPLES OF DUTIES

Supervises the administration of the City's public liability insurance, loss recovery (i.e., subrogation), property risk, vehicular physical damage, catastrophe insurance, transportation insurance, and crime insurance programs; ensure compliance of the City's Workers' Compensation Program with the applicable laws and regulations of the State of California; reviews the establishment and maintenance of monetary claim reserves in both public liability and Workers' Compensation; supervises the investigation of claims; directs and assists in preparing cases for litigation; acts as Safety Officer, conducting inspections, defensive driver training, First Aid classes and ensures compliance with the requirements and procedures of CAL-OSHA; plans the continued development and refinement of City-wide risk administration and loss control programs; establishes and reviews risk management policies and ensures conformance of program operations to established standards and makes recommendations that will reduce risk exposure, conserve contingent liability reserves and provide for open case liability reserves; establishes Workers' Compensation charge-back rates for City departments; supervises the auditing of invoices for insurance premiums and authorizes payments; manages and supervises uninsured claims programs related to public liability, property risk, vehicular physical damage, catastrophe and bonding, and coordinates with respective carriers those losses that are insured; negotiates adjustments and settlements of uninsured losses and all insured losses involving damage to City property; analyzes insurance needs and makes recommendations for the purchase, needed coverage, loss reduction, loss cost, and specialized related services; reviews contracts and agreements in conformity with City Standards; purchases and administers all of the City's insurance relating to property, liability, crime, transportation, and excess Workers' Compensation, if required; establishes work standards and practices for subordinate staff; assigns, reviews and evaluates the work performance of subordinates; monitors long-term disability cases and modified duty assignments for temporarily disabled employees; conducts special surveys, gathers and analyzes information, and prepares reports and recommendations to the Director of Management Services.

## SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate vehicle operator's license issued by the California Department of Motor Vehicles within one month after appointment.

A Letter of Certification in Workers' Compensation Administration from the California Industrial Relations Department must be obtained no later than one (1) year from the date of appointment.

*All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.*

EMPLOYMENT STANDARDS

Knowledge of:

Principles of organization, administration, and management;
State of California Workers' Compensation laws and administrative regulations;
Medical and legal terminology relating to Workers' Compensation matters;
Principles and practices of risk management, asset protection, public liability, property insurance and fidelity bonding;
Claims adjusting, settlement methods, and subrogation procedures;
Principles and practices of sound risk management, financial and clerical records administrative procedures;
Contract and tort law as it applies to general liability, bodily injury claims, rules of evidence, and insurance settlements;
Insurance bid preparation, solicitation, and evaluation;
Financial and legal requirements for developing, implementing, and administering self-insurance plans;
Principles and practices of safety and vocational rehabilitation programs;
Completed staff work in oral and written presentations;
Principles of supervision and training;

and

Ability to:

Plan, organize, and develop new programs and coordinate risk management/loss prevention functions with City needs;
Understand, explain and apply Workers' Compensation laws and administrative regulations;
Analyze and interpret a variety of complex insurance policies, medical reports, legal documents and reports pertaining to insurances, claims, loss exposure, and coverage;
Evaluate program policy and practices; define problem areas, develop and direct the implementation of policy decisions and practices to improve operations;
Make accurate arithmetical computations;
Speak and write effectively;
Prepare clear and concise administrative, technical, and statistical reports;
Supervise, train and evaluate staff members;
Establish and maintain effective working relationships with personnel from other departments and agencies, representatives from private firms and organizations, injured workers and their families, attorneys, physicians and others contacted during the course of work;

and

Experience:

Five (5) years of experience in the management and operation of risk management programs including: Workers' Compensation, Public Liability, Property Insurance, Employee Safety, Public Loss Prevention, insurance claims investigation and adjusting. This experience should include two (2) years of supervisory experience;

and

Education:

The following are desirable and not mandatory. They will be considered at time of selection.

Graduation from an accredited college or university with a major in risk management, insurance, or a closely related field.

Possession of a State of California letter of verification of competency in Workers' Compensation laws and regulations.

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-794

AMENDED

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE MODESTO BASEBALL CLUB TO INSTALL A SIGN FACE ON TOP OF THE OUTFIELD FENCE AT JOHN THURMAN FIELD

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
amended
**that the /agreement between the City of Modesto and** The Modesto Baseball Club to install a sign face on top of the outfield fence at John Thurman Field

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** December**, 19**83**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Whiteside**, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-795

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** MODESTO IRRIGATION DISTRICT APPROVING STORM DRAINAGE LICENSE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Modesto Irrigation District permitting the City to discharge the storm water which normally ponds at the intersection of PrescottRoad and Briggsmore Avenue into the Modesto Irrigation District Lateral No. 3

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 6th **day of** December, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Whiteside, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-796

A RESOLUTION APPROVING THE FINAL MAP OF THE OAKWOOD OFFICE PARK SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Guarantee Savings, a federal savings and loan association, is/~~are~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 4.668 acres, known as the Oakwood Office Park Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 1st day of June, 1981, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Oakwood Office Park Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal

Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By E. Lwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-797

A RESOLUTION AMENDING EXHIBIT "G" OF RESOLUTION NO. 82-488 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 82-488. Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1982-83", attached to Resolution No. 82-488, is hereby amended as shown on the amended Exhibit "G" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1982-83", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "G" deletes the classifications of Management Assistant, Range 429.0; Purchasing Assistant I, Range 122.0; and Purchasing Assistant II, Range 124.0; and adds the classifications of Claims Representative, Range 419.5; Collections Supervisor, Range 424.0; Payroll Technician, Range 421.5; Principal Management Analyst, Range 429.0; Purchasing Assistant, Range 124.0; Risk Manager, Range 432.0; and Senior Buyer, Range 426.0.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1983-84
(Effective 6-28-83, Amended 12-27-83)

| Range No. | Title of Classification |
|---|---|
| 114.5 | Account Clerk |
| 122.0 | Accountant I |
| 426.0 | Accountant II |
| 119.5 | Accounting Technician |
| 123.0 | Accounts Examiner |
| 426.0 | Administrative Analyst |
| 422.0 | Administrative Assistant |
| 429.0 | Airport Manager |
| 424.5 | Airport Maintenance Supervisor |
| 116.5 | Animal Control Officer I |
| 118.5 | Animal Control Officer II |
| 426.5 | Arborist |
| 633.0 | Assistant Chief of Police |
| 432.0 | Assistant City Attorney I |
| 435.0 | Assistant City Attorney II |
| 421.5 | Assistant City Clerk |
| 429.0 | Assistant Civil Engineer |
| 433.0 | Assistant Director of Parks & Recreation |
| 122.5 | Assistant Electrician |
| 426.0 | Assistant Planner |
| 428.0 | Assistant Property Agent |
| 427.0 | Assistant Risk Manager |
| 426.0 | Assistant Shop Supervisor |
| 432.0 | Associate Civil Engineer |
| 429.0 | Associate Planner |
| 426.0 | Budget Accountant |
| 122.0 | Building Inspector I |
| 125.0 | Building Inspector II |
| 426.5 | Building Maintenance Supervisor |
| 120.5 | Building Maintenance Worker |
| 434.0 | Chief Building Official |
| 429.0 | Chief Electrician |
| N/A | Chief of Police |
| 426.5 | Chief of Survey Party |
| N/A | City Attorney |
| N/A | City Clerk and Auditor |
| N/A | City Manager |
| 117.5 | Civil Engineering Technician I |
| 120.5 | Civil Engineering Technician II |
| 123.5 | Civil Engineering Technician III |
| 126.5 | Civil Engineering Technician IV |
| 113.5 | Clerk Typist |
| 713.6 | Clerk Typist (Y Rate) |
| 413.5 | Clerk Typist (Confidential) |
| 124.0 | Coach Mechanic |
| 419.5 | Claims Representative |
| 122.0 | Code Enforcement Specialist |
| 424.0 | Collections Supervisor |
| 120.5 | Community Service Officer |
| 116.5 | Computer Operator |
| 125.0 | Construction Inspector |
| 427.0 | Cost Analyst |
| 123.0 | Crime Analyst |
| 114.5 | Data Entry Operator |
| 429.0 | Data Processing Manager |
| 427.0 | Deputy City Attorney I |
| 429.0 | Deputy City Attorney II |
| N/A | Deputy City Manager |
| 312.0 | Detective |
| N/A | Director of Engineering Services |
| N/A | Director of Finance |
| N/A | Director of Management Services |
| N/A | Director of Parking and Traffic |
| N/A | Director of Parks and Recreation |
| N/A | Director of Planning and Community Development |
| N/A | Director of Utility Services |
| 117.5 | Drafting Technician |

Exhibit "G"

110483



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ALPHABETICAL LISTING (Continued)

| Range No. | Title of Classification |
|---|---|
| 426.5 | Electrical Supervisor |
| 118.5 | Electrical Technician I |
| 120.5 | Electrical Technician II |
| 124.5 | Electrician |
| 127.0 | Engineering Computer Programmer |
| 122.5 | Equipment Crew Leader |
| 122.0 | Equipment Mechanic |
| 120.5 | Equipment Operator |
| 119.0 | Equipment Service Worker |
| 118.5 | Evidence and Property Specialist |
| 419.5 | Executive Secretary |
| 430.0 | Finance Division Manager |
| 529.0 | Fire Battalion Chief |
| N/A | Fire Chief |
| 211.0 | Fire Engineer |
| 123.0 | Fire Equipment Mechanic |
| 210.0 | Fire Fighter |
| 208.0 | Fire Fighter Trainee |
| 213.0 | Fire Lieutenant |
| 120.5 | Fire Prevention Technician |
| 426.0 | Historical Buildings Supervisor |
| 120.5 | Housing Conservationist |
| 122.0 | Housing Financial Specialist |
| 432.0 | Housing Program Officer |
| 122.0 | Housing Rehabilitation Specialist I |
| 125.0 | Housing Rehabilitation Specialist II |
| 122.0 | Industrial Waste Inspector I |
| 125.0 | Industrial Waste Inspector II |
| 116.5 | Janitor |
| 122.5 | Janitor Supervisor |
| 126.0 | Junior Civil Engineer |
| 122.5 | Laboratory Technician |
| 113.5 | Laborer (Unclassified) |
| 426.0 | Landscape Designer |
| 126.0 | Lead Coach Mechanic |
| 124.0 | Lead Equipment Mechanic |
| 417.5 | Legal Secretary |
| 120.5 | Maintenance Mechanic |
| 120.5 | Maintenance Mechanic - Pumps |
| 116.5 | Maintenance Worker I |
| 118.5 | Maintenance Worker II |
| 113.5 | Maintenance Worker Trainee |
| 120.5 | Meter Reader Repair Worker |
| 112.5 | Microfilm & Graphics Technician |
| 120.5 | Motor Sweeper Operator |
| 424.0 | Museum Supervisor |
| 122.5 | Nursery Propagator |
| 109.5 | Office Aide |
| 111.5 | Office Clerk |
| 411.5 | Office Clerk (Confidential) |
| 122.5 | Office Services Supervisor |
| 122.5 | Parking and Traffic Crew Leader |
| 429.0 | Parking and Traffic Superintendent |
| 120.5 | Parking Meter Worker |
| 120.5 | Parks Crew Leader |
| 720.5 | Parks Crew Leader (Y Rate) |
| 424.5 | Parks Maintenance Supervisor I |
| 426.5 | Parks Maintenance Supervisor II |
| 429.0 | Parks Superintendent |
| 421.5 | Payroll Technician |
| 432.0 | Personnel Manager |
| 421.5 | Personnel Technician |
| 126.5 | Plan Review Engineer |
| 426.5 | Plan Review Engineer (MGT Benefits) |
| 117.5 | Planning Technician I |
| 120.5 | Planning Technician II |
| 123.5 | Planning Technician III |
| 122.5 | Plant Mechanic |
| 424.5 | Plant Mechanical Maintenance Supervisor |
| 632.0 | Police Captain |
| 113.5 | Police Clerk |
| 630.0 | Police Lieutenant |

| Range No. | Title of Classification |
|---|---|
| 308.0 | Police Officer (Trainee Step) |
| 310.0 | Police Officer |
| 425.0 | Police Records Supervisor |
| 628.0 | Police Sergeant |
| 429.0 | Principal Management Analyst |
| 115.5 | Printing Services Operator |
| 113.5 | Printing Services Trainee |
| 123.0 | Programmer Analyst I |
| 126.0 | Programmer Analyst II |
| 426.0 | Programmer Analyst (Finance) |
| 430.0 | Property Agent |
| 116.5 | Property Control Aide |
| 124.0 | Public Services Inspector |
| 427.0 | Public Services Officer |
| 120.5 | Public Works Line Worker |
| 424.5 | Public Works Supervisor I |
| 426.5 | Public Works Supervisor II |
| 124.0 | Purchasing Assistant |
| 430.0 | Purchasing Officer |
| 112.5 | Receptionist |
| 712.6 | Receptionist (Y Rate) |
| 429.0 | Recreation Superintendent |
| 426.0 | Recreation Supervisor |
| 432.0 | Risk Manager |
| 417.5 | Risk Management Technician |
| 117.5 | Secretary |
| 417.5 | Secretary (Confidential) |
| 421.5 | Secretary to the City Attorney |
| 422.5 | Secretary to the City Manager |
| 116.5 | Senior Account Clerk |
| 428.0 | Senior Accountant |
| 126.5 | Senior Building Inspector |
| 426.0 | Senior Buyer |
| 119.5 | Senior Computer Operator |
| 419.5 | Senior Legal Secretary |
| 115.5 | Senior Microfilm & Graphics Technician |
| 416.5 | Senior Personnel Clerk |
| 423.5 | Senior Personnel Technician |
| 432.0 | Senior Planner |
| 115.5 | Senior Police Clerk |
| 118.5 | Senior Printing Services Operator |
| 120.5 | Senior Storeskeeper |
| 122.5 | Senior Wastewater Treatment Plant Operator |
| 416.5 | Senior Word Processing Technician |
| 429.0 | Shop Supervisor |
| 123.5 | Social Services Coordinator |
| 423.5 | Social Services Coordinator (MGT Benefits) |
| 114.5 | Stenographer Clerk |
| 118.5 | Storeskeeper |
| 428.5 | Supervising Building Inspector |
| 428.0 | Supervising Construction Inspector |
| 428.0 | Supervising Housing Rehabilitation Speciali |
| 429.0 | Transit Manager |
| 720.5 | Tree Trimmer (Y-Rate) |
| 120.5 | Tree Trimmer |
| 122.5 | Tree Trimmer Crew Leader |
| 424.5 | Warehouse Supervisor |
| 118.5 | Wastewater Treatment Plant Attendant |
| 120.5 | Wastewater Treatment Plant Operator |
| 426.5 | Wastewater Treatment Plant Supervisor |
| 432.0 | Water Quality Control Superintendent |
| 125.0 | Water System Inspector |
| 422.0 | Word Processing Supervisor |
| 114.5 | Word Processing Technician |
| 113.5 | Word Processing Trainee |
| 425.0 | Zoning Inspector |

Totals: 13 City Manager, Department Hea
183 Other

196

MODESTO CITY COUNCIL
RESOLUTION NO. 83-798

A RESOLUTION DENYING IN PART THE APPEAL OF ARTHUR HERBRUGER TO A BOARD OF ZONING ADJUSTMENT DECISION DENYING A VARIANCE TO THE SIDE YARD SETBACK REQUIREMENT TO ALLOW A GARAGE EXTENSION ON PROPERTY LOCATED AT 401 TUOLUMNE BOULEVARD, AND GRANTING IN PART THE APPEAL TO APPROVE A VARIANCE FOR A TWO-FOOT EXTENSION TO PERMIT A STANDARD SIZE GARAGE.

WHEREAS, an application for a variance from the provisions of Section 10-2.505 of the Modesto Municipal Code to permit a 10-foot 8-inch garage extension without a sideyard setback at 401 Tuolumne Boulevard on the northwest corner of Tuolumne Boulevard and Merced Avenue was filed by Arthur Herbruger on August 31, 1983, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2001 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant variances subject to findings specified in Section 10-2.2003, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on September 22, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Board continued said matter to October 27, 1983, to allow the applicant time to submit revised plans for a smaller extension to the substandard sized garage, and

WHEREAS, by Resolution No. 1132, the Board of Zoning Adjustment found and determined that the required findings for a variance could not be made because the 10-foot 8-inch garage extension would be materially detrimental to the welfare of the adjoining property since a required fire wall would block out light and air from windows of the adjoining house which sits only about 5 to 6 feet from the side property line, and

WHEREAS, an appeal was filed with the City Council of the City of Modesto by letter dated November 3, 1983, by Arthur Herbruger to the decision of the Board of Zoning Adjustment denying a variance to permit a 10-foot 8-inch garage extension without a 5-foot sideyard setback at 401 Tuolumne Boulevard, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on December 13, 1983, and

WHEREAS, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that said appeal to the decision of the Board of Zoning Adjustment should be denied and that the decision of the Board of Zoning Adjustment should be affirmed for the reasons set forth by the Board of Zoning Adjustment in its Resolution No. 1132 and quoted above, but that a variance for a two-foot extension to permit a standard size garage should be approved, since the required showings under Municipal Code Section 10-2.2003 were found to exist as to said two-foot garage extension, to wit:

(a) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved.

(b) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, and denied to the property in question.

(c) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicintiy and zone in which the propety is located.

(d) That the granting of such variance will not adversely affect the comprehensive general plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Arthur Herbruger to the Board of Zoning Adjustment decision denying a variance to permit a 10-foot 8-inch garage extension without a five-foot sideyard setback at 401 Tuolumne Boulevard, is hereby denied for the reasons set forth above, and the decision of the Board of Zoning Adjustment is hereby affirmed.

BE IT FURTHER RESOLVED that a variance for a two-foot extension to permit a standard size garage is hereby approved, based on the following conditions:

1. All development shall conform to the plot plan titled "Proposed Garage Addition to Residence of Mr. A. Herbruger, 401 Tuolumne Boulevard" as amended in red, stamped approved by the Board of Zoning Adjustment on October 27, 1983.

2. The applicant shall record a "Notice of Conditions" in the Stanislaus County Recorder's Office on a form available in the Planning and Community Development Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly

seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-799

A RESOLUTION ACCEPTING THE BID OF CONCO-WEST, INC. FOR THE INSTALLATION OF PLAY APPARATUS IN EAST LA LOMA NEIGHBORHOOD PARK

WHEREAS, Resolution No.83-672, adopted by the Council of the City of Modesto on October 18, 1983 , approved the plans and specifications for the installation of play apparatus in East La Loma Neighborhood Park and authorized the calling for bids; and

WHEREAS, the bids received for the installation of play apparatus in East La Loma Neighborhood Park were opened at 11:00 a.m. on November 1, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Conco-West, Inc. in the amount of $26,490 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Conco-West Inc. in the amount of $26,490 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December , 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-800

A RESOLUTION ACCEPTING THE BID OF JOHN RANEY CONSTRUCTION FOR THE CONSTRUCTION OF A BIKE TRAIL AT M.I.D. LATERAL NO. 2 - PHOENIX AVENUE TO CONEJO AVENUE

WHEREAS, Resolution No. 83-762, adopted by the Council of the City of Modesto on November 15, 1983 , approved the plans and specifications for the construction of a bike trail at M.I.D. Lateral No. 2 - Phoenix Avenue to Conejo Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the construction of a bike trail at M.I.D. Lateral No. 2 - Phoenix Avenue to Conejo Avenue were opened at 11:05 a.m. on December 6, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of John Raney Construction in the amount of $11,850.40 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of John Raney Construction in the amount of $11,850.40 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December , 1983 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-801

A RESOLUTION ACCEPTING THE BID OF MAGGINI CHEVROLET FOR FURNISHING ONE FOUR-DOOR SEDAN

WHEREAS, Resolution No. 83-705, adopted by the Council of the City of Modesto on November 1, 1983, approved the plans and specifications for the purchase of three sedans and five pickups and authorized the calling for bids; and

WHEREAS, the bids received for the purchase of three sedans and five pickups were opened at 3:00 p.m. on November 22, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Maggini Chevrolet for one four-door sedan for the total amount of $10,903 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Maggini Chevrolet for one four-door sedan for the total amount of $10,903 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-802

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING TWO DETECTIVE SEDANS, AND OPENED IN THE OFFICE OF THE CITY CLERK ON NOVEMBER 22, 1983, AT 3:00 P.M., AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 83-705, adopted by the Council of the City of Modesto on November 1, 1983, approved the plans and specifications for furnishing three sedans and five pickups, and authorized the call for bids; and

WHEREAS, the bids received for the furnishing of three sedans and five pickups were opened at 3:00 p.m. on November 22 , 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the sole bid received from National Car Rental for Item II, two detective sedans,was not considered acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the furnishing of two detective sedans and opened in the office of the City Clerk on November 22, 1983, are hereby rejected.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that new call for bids for furnishing two detective sedans to be opened January 3, 1983, at 3:15 p.m. is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-803

A RESOLUTION ACCEPTING THE BID OF DOW HAMMOND FOR FURNISHING ONE LIGHT UTILITY PICKUP, TWO CAB AND CHASSIS, AND TWO PICKUP TRUCKS WITH DUMP BEDS

WHEREAS, Resolution No. 83-705, adopted by the Council of the City of Modesto on November 1, 1983, approved the plans and specifications for the purchase of three sedans and five pickups and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of three sedans and five pickups were opened at 3:00 p.m. on November 22, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Dow Hammond for furnishing one light utility pickup, two cab and chassis, and two pickup trucks with dump beds for the total amount of $47,832 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Dow Hammond in the amount of $47,832 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-804

A RESOLUTION ACCEPTING THE BID OF CEN-CAL EQUIPMENT COMPANY FOR FURNISHING THREE COMPACTORS

WHEREAS, Resolution No.83-692, adopted by the Council of the City of Modesto on October 25, 1983, approved the plans and specifications for the purchase of three compactors and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of three compactors were opened at 3:20 p.m. on November 15, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Cen-Cal Equipment Company in the amount of $4,007 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Cen-Cal Equipment Company in the amount of $4,007 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-805

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF MAINTENANCE PAINT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of annual requirements of maintenance paint

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 3, 1984, at 3:10 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 19 83, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-806

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL TIRE RECAPPING REQUIREMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of annual tire recapping requirements

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 3, 1984, at 3:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-807

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING ONE SEWER RODDER TRUCK, AND OPENED IN THE OFFICE OF THE CITY CLERK ON NOVEMBER 15, 1983, AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 83-693, adopted by the Council of the City of Modesto on October 25, 1983, approved the plans and specifications for furnishing one sewer rodder truck, and authorized the call for bids; and

WHEREAS, the bids received for the furnishing of one sewer rodder truck were opened at 3:30 p.m. on November 15, 1983, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the two bids received failed to provide detailed specifications and/or literature on the equipment to be furnished.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the furnishing of one sewer rodder truck and opened in the office of the City Clerk November 15, 1983, are hereby rejected.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that new call for bids for furnishing one sewer rodder truck to be opened January 10, 1983, at 3:00 p.m. is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-808

A RESOLUTION GRANTING AN EXTENSION OF REQUEST FOR PROPOSALS FOR A FULL SERVICE FIXED BASE OPERATION AT THE MODESTO CITY-COUNTY AIRPORT

WHEREAS, on October 11, 1983, the Council of the City of Modesto approved a Request for Proposals for a full service fixed base operation at the Modesto City-County Airport, to be opened in the office of the City Clerk, 801 11th Street, Modesto, on November 15, 1983, at 3:00 p.m.; and

WHEREAS, the response was considered inadequate by the November 15, 1983, deadline, and staff requests an extension to January 10, 1984.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an extension to January 10, 1984, of Request for Proposals for a full service fixed base operation at the Modesto City-County Airport, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-809

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** THE MODESTO LUMBER COMPANY FOR THE ACQUISITION OF 3,188± SQUARE FEET OF THEIR LAND NEEDED FOR THE EXPANSION OF THE SERVICE YARD

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** The Modesto Lumber Company for the acquisition of 3,188± square feet of their land needed for the expansion of the Service Yard

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 13th **day of** December, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Sutton, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Patterson, Whiteside

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-810

A RESOLUTION ACCEPTING A PROPOSAL BY THE CALIFORNIA TRANSPORTATION COMMISSION FOR A $160,000 GRANT FOR THE DOWNTOWN TRANSPORTATION CENTER

WHEREAS, the City of Modesto has applied for a grant from the State of California for the City's proposed Downtown Transportation Center; and

WHEREAS, the California Transportation Commission has made a proposal to the City of Modesto for a grant in the amount of $160,000 for the City's proposed Downtown Transportation Center.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the California Transportation Commission's proposal for a grant in the amount of $160,000 for the City's proposed Downtown Transportation Center.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-811

SUPPLEMENT NO. 19 TO

**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** CALTRANS FOR $316,260 FOR A PAVEMENT MARKING DEMONSTRATION PROGRAM

**BE IT HEREBY RESOLVED by the Council of the City of Modesto** Supplement No. 19 to **that the/agreement between the City of Modesto and** Caltrans (Agreement No. 10-5059) for $316,260 for a pavement marking demonstration program

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 13th **day of** December, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Sutton, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Patterson, Whiteside

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-812

A RESOLUTION AUTHORIZING THE CITY MANAGER TO REQUEST A CHANGE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR FROM THE UNITED STATES DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (H.U.D.)

WHEREAS, on April 12, 1976, by Resolution No. 76-538, the City Council of the City of Modesto established a Housing Maintenance Program to work under the guidance and control of the Citizens Housing and Community Development Committee on community development activities and to make appropriate recommendations to the City Council, and

WHEREAS, the Citizens Housing and Community Development Committee has recommended a change to the Community Development Block Grant (CDBG) Program Year which would change Fiscal Year 84-85 dates from July 1, 1984 to June 30, 1985 to March 1, 1984 to June 30, 1985, and

WHEREAS, the Council of the City of Modesto, at its meeting of December 13, 1983, considered said recommendation and desires to change said Program Year from July 1, 1984 to June 30, 1985 to March 1, 1984 to June 30, 1985,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager is hereby authorized to request a change to the Community Development Block Grant (CDBG) Program Year from the United States Department of Housing and Community Development (H.U.D.) to change Fiscal Year 84-85 dates from July 1, 1984 to June 30, 1985 to March 1, 1984 to June 30, 1985.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By George R. Eiser III
GEORGE R. EISER III
Assistant City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-813

A RESOLUTION CONTINUING THE PETTY CASH ACCOUNT IN THE PARKING FUND FOR PURPOSES OF MAKING CHANGE ON OFF-STREET PARKING LOTS WHICH ARE ATTENDANT OPERATED AND SUPERSEDING RESOLUTION NO. 82-334

WHEREAS, Resolution No. 82-334 continued a Petty Cash Account in the Parking Fund in the amount of sixty and no/100ths ($60.00) Dollars for the purpose of making change on off-street parking lots which are attendant operated, and

WHEREAS, the conversion of attendant operated parking lots to ticket dispensing lots has generated a need for a reduction of cash in said Petty Cash Account,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Petty Cash Account (Account No. 14-00) in the Parking Fund (Fund No. 60) be continued and that the amount to be maintained therein be decreased to the sum of forty and no/100ths ($40) Dollars, for the purpose of providing money to make change on attendant operated off-street parking lots.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

BE IT FURTHER RESOLVED that this resolution supersedes Resolution No. 82-334 adopted by the Council on April 20, 1982.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried

and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Sutton, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Patterson, Whiteside |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-814

RE-

**A RESOLUTION/SETTING TIME AND PLACE FOR HEARING** TO CONSIDER PROPOSED ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF MODESTO OF UP TO $6.8 MILLION OF INDUSTRIAL REVENUE BONDS FOR STANISLAUS FOODS PRODUCTS COMPANY AND RESCINDING RESOLUTION NO. 83-791

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** December 27, 1983 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** proposed issuance by the Industrial Development Authority of the City of Modesto of up to $6.8 million of Industrial Revenue Bonds for Stanislaus Foods Products Company for expansion of their tomato company plant, and rescinding Resolution No. 83-791.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 13th **day of** December **, 19** 83 **, by Councilmember** Lang **, who moved its adoption, which motion being duly seconded by Councilmember** Muratore **, was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Sutton, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Patterson, Whiteside

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-815

A RESOLUTION CALLING A HEARING ON THE ISSUANCE OF CITY OF MODESTO MULTI-FAMILY RENTAL MORTGAGE REVENUE BONDS (OAK HAVEN PROJECT)

WHEREAS, the City proposes to issue its Multi-Family Rental Mortgage Revenue Bonds (Oak Haven Project) in the principal amount of not to exceed $2,500,000 for the purpose of providing financing to Resource Development Company, a general partnership, for the acquisition of land and construction of an approximately 97-unit multi-family rental structure to be located on a 5.95 acre, more or less, parcel on the south side of Floyd Avenue west of Oakdale Road, in the City of Modesto, California;

WHEREAS, Section 103(k) of the Internal Revenue Code of 1954, as amended, requires that this Council hold a public hearing on the question of whether this Council should approve the issuance of said Bonds; and

WHEREAS, it is in the public interest that said hearing be held;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto, as follows:

1. That the City Council of the City hereby calls a public hearing on Tuesday, the 27th day of December, 1983, at the hour of 7:30 P .M., in Council Chambers of the City of Modesto on the question of whether the City should issue its not to exceed $2,500,000 principal amount of Multi-Family Rental Mortgage Revenue Bonds (Oak Haven Project) for the purpose of providing financing to Resource Development Company, a general partnership, for the acquisition of land and construction of an approximately 97-unit multi-family rental structure to be located on a 5.95 acre, more or less, parcel on the south side of Floyd Avenue west of Oakdale Road, in the City of Modesto, California.

2. The City Clerk is authorized and directed to provide notice of the public hearing by publication of said notice once at least fourteen (14) days prior to said hearing in the Modesto Bee, a copy of which notice is attached hereto as Exhibit A and is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST:

Bonnie Boyle
City Clerk of the City of Modesto

APPROVED AS TO FORM

Elwyn Johnson
ELWYN JOHNSON, City Attorney

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Tuesday, the 27th day of December, 1983, at the hour of 7:30 P.M., in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, the City Council of the City of Modesto will hold a public hearing on the question of whether the City should issue its not to exceed $2,500,000 principal amount of Multi-Family Rental Mortgage Revenue Bonds (Oak Haven Project) for the purpose of providing financing to Resource Development Company, a general partnership, for the acquisition of land and construction of an approximately 97-unit multi-family rental structure to be located on a 5.95 acre, more or less, parcel on the south side of Floyd Avenue west of Oakdale Road, in the City of Modesto, California.

Dated: December 8, 1983

Maurine Boyle
City Clerk of the City of Modesto

EXHIBIT "A"

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-816

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** JONES, HALL, HILL AND WHITE TO ACT AS BOND COUNSEL ON THE PROPOSED ISSUANCE OF UP TO 2.5 MILLION DOLLARS OF MULTIPLE FAMILY MORTGAGE REVENUE BONDS FOR RESOURCE DEVELOPMENT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Jones, Hall, Hill and White to act as bond counsel on the proposed issuance of up to 2.5 million dollars to multiple family mortgage revenue bonds for Resource Development

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 13th **day of** December, **19**83, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Sutton, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Patterson, Whiteside

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-817

A RESOLUTION REQUESTING THE INTRODUCTION OF LEGISLATION TO AMEND THE CALIFORNIA WATER CODE

WHEREAS, Section 7035 of the California Water Code provides that the responsibility for repairing or improving water conduits which cross public rights-of-way is the responsibility of the jurisdiction(s) which own such rights-of-way, absent evidence that the rights-of-way existed prior to such water conduits, and

WHEREAS, the majority of public roadways within the State of California are the properties of local governments, and

WHEREAS, local governments seldom receive a share of the revenues of private water companies or irrigation districts, and

WHEREAS, the potential repair costs to be borne by local governments will continue to increase as water conduit systems continue to age, and

WHEREAS, the costs of repairing water conduit systems, and streets damaged by water conduit systems in need of repair, represent an additional demand on the revenues of local governments at a time when the revenue generating potential of local governments has been systematically and severely constrained, and

WHEREAS, private water companies and irrigation districts have retained their ability to establish service rates to reflect the true costs of maintenance and repair on a fee-for-service basis.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby petition the members of the Legislature of the State of California to support the adoption of legislation to provide that private water companies and irrigation districts shall be responsible to repair damaged water conduits within public facilities within said rights-of-way.

BE IT FURTHER RESOLVED that copies of this resolution shall be forwarded to Senator Dan McCorquodale, Assemblyman Gary Condit, to other appropriate members of the State Assembly and Senate, to the League of California Cities, to Stanislaus County, and to other cities in Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Whiteside

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-818

A RESOLUTION DENYING, WITHOUT PREJUDICE, THE REZONING OF LOW DENSITY RESIDENTIAL ZONE, (R-1), TO MEDIUM DENSITY RESIDENTIAL ZONE, (R-2), PROPERTY LOCATED ON THE EAST SIDE OF MONTEVIEW DRIVE OPPOSITE GRAND PRIX DRIVE, AND OVERRULING THE RECOMMENDATION OF THE PLANNING COMMISSION.

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map was filed by Stone Bros. and Associates on September 1, 1983, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on the east side of Monteview Drive opposite Grand Prix Drive, and

WHEREAS, a public hearing was held by the Planning Commission on October 24, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, after said public hearing, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 83-163, and

WHEREAS, by said Resolution No. 83-163, adopted on October 24, 1983, the Planning Commission recommended to the City Council that Section Map 10-3-9 of the Zoning Map of the City of Modesto be amended to reclassify the property located on the east side of Monteview Drive opposite Grand Prix Drive from Low Density Residential Zone, (R-1), to Medium Density Residential Zone, (R-2), and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on November 22, 1983, at which time said public hearing was opened and thereafter continued to December 20, 1983, at 4:00 p.m., at which time evidence, both oral and documentary, was taken and introduced, and

WHEREAS, after hearing evidence both oral and documentary, the Council finds and determines that the requested amendment to Section 10-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on the east side of Monteview Drive opposite Grand Prix Drive, as recommended by the Planning Commission, should be denied for the following reasons:

1. Rezoning to "straight" R-2 zoning as requested would allow the developers to execute possible design alternatives that may not be in the best interests of the adjoining single-family residential area to the east.

2. A commitment was made in 1976 to the adjoining single-family residnetial area to the east to require P-D zoning for Medium Density Residential uses on the subject property.

3. Denying the requested R-2 zoning without prejudice will allow the applicant to resubmit an application to rezone from R-1 to P-D the subject property, which P-D zone would specify precise development standards including height of buildings and privacy requirements in order to give assurances to the adjoining single-family residential area to the east that design standards will be adhered to.

and

WHEREAS, the City Council certifies it has reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that after a public hearing opened on November 22, 1983, and continued to December 29, 1983, the Council finds and determines that the recommended rezoning of Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on the east side of Monteview Drive opposite Grand Prix Drive, is not required by public necessity, convenience and general welfare, and said rezoning is hereby denied, without prejudice, for the reasons set forth above.

BE IT FURTHER RESOLVED that the recommendation of the Planning Commission is hereby overruled.

BE IT FURTHER RESOLVED that the Council hereby determines that waiving the one-year limitation on filing a new application for a Planned Development (P-D) Zone on the subject property will not adversely affect the interest of the General public, and the Council hereby waives the one year limitation as set forth in Section 10-2.2103 of the Modesto Municipal Code, and the applicant is granted the rignt to apply, withinone year, for Planned Development Zoning on the subject property.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1983, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Muratore, Patterson, Whiteside
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Sutton

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney



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MODESTO CITY COUNCIL
RESOLUTION NO. 83-819

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPLACING IRRIGATION LINE AT KANSAS AVENUE AND EMERALD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for replacing irrigation line at Kansas Avenue and Emerald Avenue

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 10, 1984, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 19 83, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Sutton

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-820

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF THREE DAISY-WHEEL PRINTERS AND TWO TWIN-SHEET PAPER FEEDERS FROM WANG LABORATORIES

WHEREAS, Wang Laboratories is the only source available for "Wang compatible" word processing equipment needed by the City.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of three daisy-wheel printers and two twin-sheet paper feeders is hereby waived.

BE IT FURTHER RESOLVED that purchase of three daisy-wheel printers and two twin-sheet paper feeders from Wang Laboratories for the total price of $19,313.50 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1983, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Sutton |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

RESOLUTION NO. 83-821

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF DON BERNARD FROM THE CITIZENS HOUSING & COMMUNITY DEVELOPMENT COMMITTEE, EFFECTIVE DECEMBER 20, 1983

WHEREAS, Don Bernard was appointed a member of the Citizens Housing & Community Development Committee on February 6, 1978; and

WHEREAS, Don Bernard has tendered his resignation from the Citizens Housing & Community Development Committee,effective December 20, 1983; and

WHEREAS, Don Bernard has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignation of Don Bernard from the Citizens Housing & Community Development Committee be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to Don Bernard for his outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1983, by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Sutton |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-822

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** TO DETERMINE CONSISTENCY BETWEEN THE AIRPORT LAND USE COMMISSION PLAN AND ZONING IN THE VICINITY OF THE AIRPORT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** January 3, 1983 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** determining consistency between the Airport Land Use Commission Plan and zoning in the vicinity of the Airport.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** December, 19 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Sutton |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-823

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** CLINTON AND MAXINE RAY FOR THE LEASE OF A PORTION OF WELL SITE #2

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** Clinton and Maxine Ray for the lease of a portion of Well Site #2

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** December, **19**83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Sutton |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-824

**A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND** GEORGE FREDRICKSON AND PHILLIP BRAVARD FOR THE LEASE OF A PORTION OF FIRE STATION #5 FOR A GARDEN SITE

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and** George Fredrickson and Phillip Bravard for the lease of a portion of Fire Station #5 for a garden site

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** December, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Sutton |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-825

A RESOLUTION ESTABLISHING MUNICIPAL OFF-STREET PARKING FACILITIES, PROVIDING FOR CONTROL THEREOF, AND RESCINDING RESOLUTION NO. 83-464.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. PARKING METER LOTS. The municipal off-street parking facilities specified on Exhibit "A" attached hereto are hereby established as parking meter lots to be controlled by parking meters. Parking time limits, rates of fees, and monthly fees for parking passes and reserved parking for said parking meter lots shall be as shown on Exhibit "A". Said Exhibit "A" is hereby incorporated by reference and made a part of this resolution.

SECTION 2. ATTENDANT LOTS. (a) The following municipal off-street parking facility is hereby established as a parking attendant lot:

(1) PAL-28 west side of 11th Street between I and J Streets

(b) Vehicular parking on said parking attendant lot shall be controlled and regulated by parking attendants as follows:

(1) PAL-28 from 8:00 a.m. to 6:00 p.m. Monday through Friday

(c) The rate of twenty-five cents (25¢) per hour or fraction thereof, unless validated in accordance with the provisions of Section 3-2.1604 of the Modesto Municipal Code, is hereby established for said parking attendant lot PAL-28. The price for validation stamps to be used with the validation system on said parking attendant lot, as provided by Section 3-2.1604 of the Modesto Municipal Code, shall be thirty cents (30¢) per stamp.

(d) The Director of Parking and Traffic may designate spaces in said parking attendant lot for the free parking of bicycles. When appropriate signs are erected, bicycles may be parked in such areas without charge.

(e) Monthly parking passes may be authorized by the Director of Parking and Traffic on said parking attendant lot PAL-28 when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be Twenty-five and no/100ths ($25.00) Dollars for PAL-28.

SECTION 3. PARKING TICKET LOTS. (a) The following municipal off-street parking facilities are hereby established as parking ticket lots:

(1) PTL-2 east side of 9th Street between I and J Streets, excepting the portion thereof which is Parking Meter Lot-2 (PML-2).

(2) PTL-20 west side of 10th Street between G and H Streets and south of PTL-23 (Old City Hall)

(3) PTL-23 west side of 10th Street between G and H Streets (Brack-Griffin)

(4) PTL-34 southwest corner of 10th and K Streets

(b) Vehicular parking on said parking ticket lots PTL-2, PTL-20, PTL-23, and PTL-34 shall be controlled by means of ticket dispensing devices from 9:00 a.m. to 4:30 p.m., Monday through Friday.

(c) The rate of fifty cents (50¢) per day or fraction thereof is hereby established for said parking ticket lots PTL-2, PTL-20, PTL-23, and PTL-34.

(d) Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking ticket lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be Fifteen and no/100ths ($15.00) Dollars.

SECTION 4. RESERVED PARKING LOTS. (a) The following municipal off-street parking facilities are hereby designated as reserved parking lots:

(1) RPL-4a west side of 11th Street between H and I Streets (street level)

(2) RPL-38 west side of 11 Street between K and L Streets

(b) Vehicular parking on said reserved parking lots shall be controlled by signs and painted markings.

(c) Charges for reserved parking on RPL-4a shall be Twenty-five and no/100ths ($25.00) Dollars per space per month.

(d) Charges for reserved parking on RPL-38 shall be Fifteen and no/100ths ($15.00) Dollars per space per month.

SECTION 5. FREE PARKING LOTS. (a) The following municipal off-street parking facilities shall be free parking lots:

(1) PL-10 east side of 8th Street between I and K Streets

(2) PL-13 north side of H Street between 15th and 16th Street (Modesto Stanislaus Library)

(3) PL-15 east side of 11th Street between F and G Streets (north of Fire Station #1)

(4) PL-16 east side of 11th Street between F and G Streets (south of Fire Station #1)

(5) PL-27 Southern Pacific Depot between I and K Streets

(6) PL-31 between Downey Avenue, H, I, and 17th Streets (Lincoln School Site)

(b) Parking time limit on PL-13 shall be either no time limit or in portions as posted, a two-hour time limit 8:00 a.m. to 5:00 p.m., Monday through Friday.

SECTION 6. DISABLED PERSONS. Notwithstanding any other provision of this resolution, disabled persons, as defined in Section 22511.5 of the California Vehicle Code, displaying a distinguishing license plate or distinguisning placard issued pursuant to Section 22511.5 of the California Vehicle Code may park free in any of the municipal off-street parking facilities specified in this resolution, except in reserved parking spaces.

SECTION 7. EFFECTIVE DATE. The effective date of this resolution shall be January 16, 1984.

SECTION 8. RESCIND. Resolution No. 83-464 adopted July 5, 1983, is rescinded effective January 15, 1984.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Sutton |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

| ING METER NUMBER | LOCATION | TIME LIMITS & FEE CLASSIFICATION | FEES FOR MONTHLY PASSES | MONTHLY FEE FOR RESERVED SPACE |
|---|---|---|---|---|
| PML-2 | East side of 9th Street between I and J Streets, excepting the portion thereof which is Parking Ticket Lot-2 (PTL-2) | PM-1 | * | ** |
| PML-2a | Alley between 9th, 10th, I and J Streets | PM-1 | * | ** |
| PML-3 | Southeast corner of 12th and I Streets | PM-3 | * | ** |
| PML-11 | Southwest corner of 10th and H Streets | PM-2 | * | $20.00*** |
| PML-21 | Southwest corner of 11th and K Streets | PM-4 | $15.00 | ** |
| PML-24 | Southeast corner of 9th and J Streets | PM-1 | * | ** |
| PML-25 | Southeast corner of 9th and I Streets | PM-1 | $15.00 | ** |
| PML-30 | East side of 12th Street between J and K Streets | PM-3 | $20.00 | ** |
| PML-32 | East side of 10th Street between J and K Streets | PM-1 | $15.00 | ** |
| PML-33 | Northeast corner of 10th and H Streets | PM-1 | * | $25.00**** |
| PML-35 | County Administration Lot, between 11th 12th, G and H Streets | PM-5 | * | ** |

: Monthly passes are not authorized
: Reserved spaces are not authorized
: No limit on the number of spaces reserved
: The number of spaces reserved is limited to a maximum of 15

## TIME LIMITS AND FEE CLASSIFICATION

PM-1: Three (3) hour limit, 9 a.m. to 6 p.m., Monday through Friday; five cents (5¢) per one-half (1/2) hour or fraction thereof.

PM-2: Five (5) hour limit, 9 a.m. to 6 p.m., Monday through Friday; five cents (5¢) per one-half (1/2) hour or fraction thereof.

PM-3: No time limit, 9 a.m. to 6 p.m., Monday through Friday; five cents (5¢) per one-half (1/2) hour or fraction thereof.

PM-4: No time limit, 9 a.m. to 6 p.m., Monday through Friday, twenty-five cents (25¢) per hour or fraction thereof.

PM-5: Time limit as posted, either twenty-four (24) minute or one hour time limit, 8 a.m. to 5 p.m., Monday through Friday, one cent (1¢) per six (6) minutes or fraction thereof.

MODESTO CITY COUNCIL
RESOLUTION NO. 83-826

A RESOLUTION ACCEPTING IMPROVEMENTS IN VINEYARD NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Bright Development , subdividers of Vineyard No. 2 Subdivision , have filed Subdivision bonds for faithful performance and labor and materials in the amount of $252,800.00 and $ 126,400.00 respectively to guarantee improvements in Vineyard No. 2 Subdivision ; and

WHEREAS, the Director of Public Works in a memorandum dated December 12, 1983, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bond upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Vineyard No. 2 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $252,800.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $126,400.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December , 1983 by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | Sutton |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-827

**A RESOLUTION SETTING TIME AND PLACE FOR HEARING** ON AUTHORIZING THE FILING OF A FEDERAL TRANSIT CAPITAL GRANT APPLICATION

**BE IT HEREBY RESOLVED by the Council of the City of Modesto that** January 24, 1984 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** authorizing the filing of a Federal Transit Capital Grant Application covering both the proposed Downtown Transportation Center and the new bus maintenance facility.

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** December **, 19** 83 **, by Councilmember** Whiteside **, who moved its adoption, which motion being duly seconded by Councilmember** Bright **, was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Sutton |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-828

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE AN AMENDED LOCAL TRANSPORTATION CLAIM FOR FISCAL YEAR 1983/84 WITH THE STANISLAUS AREA ASSOCIATION OF GOVERNMENTS, (SAAG), FOR $290,601 OF STATE TRANSIT ASSISTANCE FUNDS, (STAF), AVAILABLE FROM FISCAL YEAR 1982/83

WHEREAS, the Stanislaus Area Association of Governments, (SAAG), has advised the City of Modesto that $290,601 of State Transit Assistance Funds are available to the City of Modesto, and

WHEREAS, said funds can be used as a substitute for Local Transportation funds that the City has claimed for Fiscal Year 1983/84, and

WHEREAS, the City is required to file an amended claim to claim said funds,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager is authorized to file an amended Local Transportation Claim with SAAG for Fiscal Year 1983/84 to claim $290,601 of State Transit Assistance Funds.

The foregoing resolution was introduced at at regular meeting of the Council of the City of Modesto held on the 20th day of December 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Sutton

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-829

OF ASSIGNMENT

**A RESOLUTION APPROVING AGREEMENT /BETWEEN THE CITY OF MODESTO AND** AND MT. VERNON INVESTMENT GROUP AND CENTRAL BANK IN CONNECTION WITH THE APPROVAL OF THE ORCHARD GROVE SUBDIVISION

**BE IT HEREBY RESOLVED by the Council of the City of Modesto**
of assignment
**that the agreement/between the City of Modesto and** Mt. Vernon Investment Group and Central Bank in connection with the approval of the Orchard Grove Subdivision

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 20th **day of** December, **19**83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

| | | |
|---|---|---|
| **AYES:** | **Councilmembers:** | Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger |
| **NOES:** | **Councilmembers:** | None |
| **ABSENT:** | **Councilmembers:** | Sutton |

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-830

A RESOLUTION AMENDING SECTION 12-3-8 OF THE ZONING MAP TO REZONE PLANNED DEVELOPMENT ZONE, P-D(233), TO MEDIUM DENSITY RESIDENTIAL ZONE, R-2 AND PLANNED DEVELOPMENT ZONE, P-D(346), TO ALLOW A 120 BED 1-STORY CONVALESCENT HOSPITAL, PROPERTY LOCATED ON THE NORTH SIDE OF RUMBLE ROAD EAST FROM HAHN DRIVE EXTENDED (ROBERT MILLER AND BILL COLSON)

WHEREAS, the City Council, by Ordinance No. 1868-C.S., which was introduced on August 14, 1979, finally adopted on September 4, 1979, and which became effective on October 4, 1979, amended Section 12-3-8 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(233), allowing a 48-unit apartment complex, property located on the north side of Rumble Road, west of Conant Avenue, and

WHEREAS, City Council Resolution No. 79-847 was adopted on August 14, 1979, and approved the development plan containing the conditions of approval and the development schedule, and

WHEREAS, a verified application for an amendment to Section 12-3-8 of the Zoning Map was filed by Robert Miller and Bill Colson on October 3, 1983, to rezone from P-D(233) to Medium Density Residential Zone, R-2, and Planned Development Zone, P-D(346), to allow a 120 bed 1-story convalescent hospital, property located on the north side of Rumble Road east from Hahn Drive extended, and

WHEREAS, a public hearing was held by the Planning Commission on November 7, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 83-182, found and determined that the rezoning of P-D(233) to R-2 and P-D(346), property located on the north side of Rumble Road east from Hahn Drive extended, is required by public necessity, convenience and general welfare, for the following reasons:

1. The convalescent hospital is a low intensive use that is compatible with the medium density residential potential for the Rumble Road area.

2. The site plan allows for good on-site/off-site traffic circulation, providing more than minimum off-street parking and allowing for its share of an adequate positive street system.

3. The R-2 zoning conforms to a previously established Rumble Road Zoning Plan.

and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on December 27, 1983, and

WHEREAS, the City Council certifies it has reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the proposed amendment to Section 12-3-8 of the Zoning Map to rezone Planned Development Zone, P-D(233), to Medium Density Residential Zone, R-2 and Planned Development Zone, P-D(346), property located on the north side of Rumble Road east from Hahn Drive extended, in the City of Modesto, should be approved,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the proposed amendment to Section 12-3-8 of the Zoning Map to rezone P-D(233), to Medium Density Residential Zone, R-2 and Planned Development Zone, P-D(346), to allow a 120 bed 1-story convalescent hospital, property located on the north side of Rumble Road east from Hahn Drive extended, is hereby approved.

BE IT FURTHER RESOLVED that Planned Development Zone, P-D(346) is approved, subject to the following conditions:

1. All development shall conform to the plot plan and floor plans titled "English Oaks Convalescent Hospital" as amended in red, stamped approved by the Planning Commission on November 7, 1983.

2. Prior to issuance of a building permit, the applicant shall submit a set of revised plot plans and floor plans showing all changes required by the Planning Commission. All development shall conform to this revised plan as amended in red, stamped approved by the Planning Commission on November 7, 1983.

3. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the east and west property lines.

4. Fencing shall be constructed prior to occupancy and shall be as follows:

   (a) Six foot board fence with decorative masonry pilasters along the east property line.

   (b) Six foot board fence with decorative masonry pilasters along the west property line; provided that the Director of Planning and Community Development may waive the requirement for said fence along the west property line if the adjacent R-2 zoned property is developed, or development is assured, in a manner that is compatible with P-D(346).

5. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

6. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Engineering Services.

7. Irrigation lines shall be removed or relocated as required by the Modesto Irrigation District and the Director of Engineering Services. Easements for irrigation lines to remain shall be dedicated.

8. Drainage shall be provided as required by the Director of Engineering Services.

9. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Engineering Services.

10. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

11. All signs shall comply with the sign requirements of the R-2 Zone.

12. Prior to the issuance of a building permit for any structure, a parcel map shall be recorded to separate this property from the remainder to the west.

13. As a part of the parcel map, the applicant shall dedicate 25 feet off the north side of the property for a future residential street. When development is commenced on the property to the north, the owners shall improve this half street to City street standards upon request by the City.

14. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Engineering Services.

15. All curbcuts serving two-way driveways shall be widened to 35 feet in width.

16. Prior to the issuance of a building permit the developer shall show on the plans submitted to Building Inspection all fire hydrants as required by the Fire Chief. All hydrants required by the Fire Chief shall be installed and operable prior to construction of any structures.

BE IT FURTHER RESOLVED that the following development schedule is hereby approved for Planned Development Zone, P-D(346):

> That the entire construction program be accomplished in one phase, with construction to begin on or before January 31, 1986, and completion to be not later than January 31, 1987.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-831

**A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO** AN AMENDMENT TO SECTION MAP 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ROBERT MILLER AND BILL COLSON)

**WHEREAS, on** December 27, 19 83, **the City Council** Introduced Ordinance No. 2233-C.S. **giving approval to a project relating to** an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(233), to Medium Density Residential Zone, R-2, and Planned Development Zone, P-D(346), **and**

**WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to** an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(233), to Medium Density Residential Zone, R-2, and Planned Development Zone, P-D(346).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-832

A RESOLUTION AMENDING P-D(160) TO ALLOW CONVERSION OF 82 EXISTING DWELLING UNITS IN DUPLEXES AND TRIPLEXES TO A STOCK COOPERATIVE, PROPERTY LOCATED ON EACH SIDE OF RANDAZZO AVENUE NORTH OF EVERGREEN AVENUE. (GEORGE HARTMAN)

WHEREAS, Ordinance No. 1605-C.S., which was introduced on March 28, 1977, finally adopted on April 11, 1977, and which became effective on May 11, 1977, granted P-D(160) which reclassified Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(160), property on the north side of Evergreen Avenue west of Gay Drive, and

WHEREAS, City Council Resolution No. 77-326, adopted on March 28, 1977, approved the development plan and schedule for P-D(160) and also contained the conditions of approval for the development of said uses on the P-D(160) property, and

WHEREAS, Ordinance No. 1953-C.S., which was introduced on June 10, 1980, and which became effective on July 17, 1980, amended the uses permitted in said P-D(160) to permit residential condominiums, and

WHEREAS, City Council Resolution No. 80-564, adopted on June 10, 1980, approved an amendment to the development plan and the development schedule of P-D(160), and also contained the conditions of approval for the development of the new uses on the P-D(160) property, and

WHEREAS, a verified application for another amendment to P-D(160) was filed by George Hartman on October 17, 1983, to allow conversion of the 82 existing dwelling units in duplexes and triplexes to a stock cooperative, property located on each side of Randazzo Avenue north of Evergreen Avenue, and

WHEREAS, a public hearing was held by the Planning Commission on November 21, 1983, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 83-185, found and determined that the requested amendment to P-D(160) is required by public necessity, convenience and general welfare for the following reasons:

1. P-D(160) presently allows conversion of the rental units to condominiums and conversion to a stock cooperative is not a significant change.

2. The conditions of approval will assure that the development will be maintained in the best interest of the general public as well as the residents of the dwelling units.

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on December 27, 1983, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to P-D(160) to allow conversion of 82 existing dwellings units in duplexes and triplexes to a stock cooperative is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 83-185, and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the requested amendment to P-D(160) to allow conversion of 82 existing dwelling units in duplexes and triplexes to a stock cooperative, property located on each side of Randazzo Avenue north of Evergreen Avenue, is hereby approved, subject to the following conditions:

1. All development shall conform to the plot plan titled "Site Plan - Randy Park" as amended in red, stamped approved by the Planning Commission on May 5, 1980, and on file in the Planning and Community Development Department.

2. Prior to occupancy of the premises, a solid six-foot high fence with decorative masonry pilasters 16 feet on centers shall be constructed along the east property line.

3. All parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Engineering Services.

4. The development shall be connected to public water and sewer facilities as required by the Director of Engineering Services.

5. All trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. Trash enclosures shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

6. All signs shall comply with the sign requirements of the R-2 zone.

7. Prior to formation of a stock cooperative or sale of a condominium, a subdivision map shall be recorded.

8. Prior to the recordation of a final subdivision map, the developer shall obtain certification from the Chief Building Official that all construction conforms to all building and fire safety standards for a stock cooperative or condominium project established by the Chief Building Official.

9. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Director of Parks and Recreation that the landscaping and irrigation system generally conforms to the previously approved plan.

10. The conversion to a stock cooperative or condominium project shall be subject to all provisions of the Condominium Conversion Tenant Displacement Policy in effect on November 21, 1983, except for provision No. 1 under Tenant Protection. For purposes of the Policy, the stock cooperative shall be considered the equivalent of a condominium project. Only those tenants who are renting on November 21, 1983, and who are still renting at time of recording of the final subdivision map are provided the Policy benefits as a City requirement. Provision of the benefits to those who rent after November 21, 1983, is at the option of the subdivider.

11. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

12. Prior to City Council approval of a final subdivision map the subdivider shall submit for approval by the City Attorney the covenants, conditions, and restrictions which are to pertain to the stock cooperative or condominium project. Said documents shall be recorded concurrently with the final subdivision map.

13. Prior to recordation of a final subdivision map, the owner shall satisfy the Chief Building Official that fences in the project are structurally adequate.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY COUNCIL OF THE CITY OF MODESTO

RESOLUTION NO. 83-833

A RESOLUTION APPROVING A
PROJECT FOR STANISLAUS FOOD PRODUCTS COMPANY

WHEREAS the Industrial Development Authority of the City of Modesto (the "Authority") has accepted and filed with this City Council an application from Stanislaus Food Products Company (the "Applicant") requesting that the Authority issue its revenue bonds pursuant to the California Industrial Development Financing Act, being Title 10 of the California Government Code, as supplemented and amended (the "Act"), to finance the acquisition of land, improvement and equipment (the "Project") to be used by the Applicant as a tomato canning plant; and

WHEREAS the Board of Directors of the Authority has made the determinations required to be made by it pursuant to Section 91530 of the Act preliminary to the issuance by the Authority of such revenue bonds; and

WHEREAS this City Council has considered the information contained in the aforesaid application and has considered the determinations of the Board of Directors of the Authority;

NOW, THEREFORE, the City Council of the City of Modesto does resolve as follows:

Section 1. The City Council hereby approves the Project, subject to fulfillment of all requirements under the

Act, and approves the issuance of revenue bonds of the Authority to finance costs of the Project, which bonds and the interest thereon shall be paid from revenues received by the Authority from the Applicant pursuant to a financing agreement with respect to the Project to be entered into between the Authority and the Applicant.

Section 2. The Clerk or a Deputy Clerk is hereby directed to certify and deliver this Resolution to the Authority.

Section 3. This Resolution shall take effect immediately upon its passage.

The foregoing resolution was introduced at a regular meeting of Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CLERK'S CERTIFICATE

I, the undersigned, the City Clerk of the City of Modesto, hereby certify that the foregoing is a full, true and correct copy of a resolution duly introduced and adopted at a regular meeting of the City Council of the City of Modesto duly and regularly held on the 27th day of December, 1983, of which meeting all of the members of said City Council had due notice and at which a majority thereof were present; and that said resolution was adopted by the following vote:

AYES: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: None

ABSENT: None

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in my office; that said resolution is a full, true and correct copy of the original resolution so adopted and entered in said minutes; and that said resolution has not been amended, modified or rescinded since the date of its adoption and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 27th day of December, 1983.

Norrine Coyle

City Clerk
Norrine Coyle

[SEAL]

MODESTO CITY COUNCIL
RESOLUTION NO. 83-834

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO AUTHORIZING THE ISSUANCE OF BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION AND CONSTRUCTION OF MULTI-FAMILY RENTAL HOUSING FACILITIES BY RESOURCE DEVELOPMENT COMPANY, A GENERAL PARTNERSHIP, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS, the City Council of the City of Modesto (the "City") is authorized by Chapter 7 (commencing with Section 52075) of Part 5 of Division 31 of the Health and Safety Code of the State of California (the "Act") to provide financing for multi-family rental housing facilities within the City, on the terms and conditions therein provided;

WHEREAS, Resource Development Company, a general partnership (the "Company") has requested the City to issue and sell its not to exceed $2,500,000 principal amount of Multi-Family Rental Mortgage Revenue Bonds (Oak Haven Project) for the purpose of providing financing to Resource Development Company, a general partnership, for the acquisition of land and construction of an approximately 97-unit multi-family rental structure to be located on a 5.95 acre, more or less, parcel on the south side of Floyd Avenue west of Oakdale Road, in the City of Modesto, California; and

WHEREAS, it is in the public interest, for the public benefit and in furtherance of the public purposes of the City that the City Council authorizes Bonds for such purposes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto, as follows:

1, The City Council hereby authorizes the issuance and sale of Bonds of the City pursuant to the Act of its not to exceed $2,500,000 principal amount of Multi-Family Rental Mortgage Revenue Bonds (Oak Haven Project) for the purpose of providing financing to Resource Development Company, a general partnership, for the acquisition of land and construction of an approximately 97-unit multi-family rental structure to be located on a 5.95 acre, more or less, parcel on the south side of Floyd Avenue west of Oakdale Road, in the City of Modesto, California.

2. The issuance and sale of said Bonds shall be upon such terms and conditions as may be mutually agreed upon by the City, the Company and the purchaser of said Bonds and shall be issued by or pursuant to resolution of the City Council at a meeting duly held and conducted for such purpose.

3. The proceeds of the Bonds shall include such related and necessary issuance expenses, administrative costs, debt service reserves and interest payments as may be required to accomplish successfully the financing.

4. The City Council does hereby find that the adoption of this Resolution constitutes a substantial inducement to the Company to undertake the acquisition and construction of such multi-family rental housing facilities.

5. This Resolution shall take effect immediately upon its passage and adoption.

The foregoing resolution was introduced at a regular meeting the Council of the City of Modesto held on the27th day of December, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST:

Norrine Coyle

City Clerk of the City of Modesto
Norrine Coyle

APPROVED AS TO FORM

Elwyn Johnson

ELWYN JOHNSON, City Attorney

RESOLUTION NO. 83-835

A RESOLUTION ACCEPTING THE BID OF MORROW & WAGGONER, INC. FOR HERNDON AVENUE IMPROVEMENTS ALONG THE EAST SIDE OF MANCINI PARK - BLOCK 3500

WHEREAS, Resolution No. 83-783, adopted by the Council of the City of Modesto on December 6, 1983, approved the plans and specifications for the Herndon Avenue improvements along the east side of Mancini Park - Block 3500 and authorized the calling for bids; and

WHEREAS, the bids received for the Herndon Avenue improvements along the east side of Mancini Park - Block 3500 were opened at 11:00 a.m. on December 20, 1983, and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Morrow & Waggoner, Inc. in the amount of $24,525 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Morrow & Waggoner, Inc. in the amount of $24,525 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

RESOLUTION NO. 83-836

A RESOLUTION ACCEPTING THE BID OF STANFIELD & MOODY, INC. FOR REPLACING AN M.I.D. IRRIGATION LINE ACROSS SYLVAN AVENUE

WHEREAS, Resolution No. 83-761, adopted by the Council of the City of Modesto on November 15, 1983 , approved the plans and specifications for the replacing of an M.I.D. irrigation line across Sylvan Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the replacing of an M.I.D. irrigation line across Sylvan Avenue were opened at 11:00 a.m. on December 6, 1983 , and later tabulated by the Director of Engineering for the consideration of the Council; and

WHEREAS, the Director of Engineering has recommended that the bid of Stanfield & Moody, Inc. in the amount of $13,690 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Stanfield & Moody, Inc. in the amount of $13,690 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December , 1983 , by Councilmember Whiteside , who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-837

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF TWO COPY MACHINES AND RECONDITIONING SERVICES FROM THE XEROX CORPORATION

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of two copy machines and reconditioning services is hereby waived.

BE IT FURTHER RESOLVED that purchase of two copy machines and reconditioning services from the Xerox Corporation for $12,620 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Whiteside who moved its adoption, which motion being duly seconded by Councilmember Sutton , was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-838

A RESOLUTION AMENDING THE ANNUAL BUDGET OF THE CITY OF MODESTO FOR FISCAL YEAR 1983-84 TO PROVIDE FOR THE PURCHASE OF TWO COPYING MACHINES AND THE RECONDITIONING OF ONE COPYING MACHINE

WHEREAS, it is necessary to purchase two copying machines and recondition one copying machine, and

WHEREAS, it is necessary to amend the Annual Budget of the City of Modesto for fiscal year 1983-84 to provide financing for said copying machines,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following amendments be made to the Annual Budget of the City of Modesto for fiscal year 1983-84:

A. Fund No. 15, Parks and Recreation Facilities Fund

1. The amount of $12,949 now appropriated in account 6349-7101, Mancini Bowl Refurbish, be reduced by $12,949 to $-0-.

2. The amount of $12,949 now estimated as revenue in account 941.20-15, Transfer-in, Revenue Sharing, be reduced $12,949 to $-0-.

B. Fund No. 20, Revenue Sharing Fund

1. The amount of $12,949 now appropriated in account 70.15-8912, Transfer out, Parks and Recreation Facilities, be reduced $12,949 to $-0-.

2. The amount of $3,770,413 now appropriated in account 70.13-8912, Special Fund for Capital Outlay, be increased by $12,949 to $3,783,362.

C. Fund No. 13, Special Fund for Capital Outlay

1. The amount of $-0- now appropriated in account no. 6378-7103, Copier (2) Purchase and Reconditioning, be increased to $12,949.

2. The amount of $3,770,413 now estimated as revenue in account no. 941.20, Transfer-in, Revenue Sharing, be increased $12,949 to $3,783,362.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December 19 83 by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-839

A RESOLUTION OF THE MODESTO CITY COUNCIL PROTESTING THE EXECUTION OF AN OPEN SPACE CONTRACT APPLICATION NO. 84-3934 (2 parcels) (STEVE OR SUE FURNAS)

WHEREAS, an Open Space Contract Application has been referred to the City of Modesto by the County of Stanislaus, and

WHEREAS, the effect of said application on the City of Modesto has been fully considered, and

WHEREAS, the City staff has recommended that the City protest the execution of said Open Space Contract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby protest the execution of an Open Space Contract on Application No. 84-3934 (2 parcels) (Steve or Sue Furnas).

BE IT FURTHER RESOLVED that this protest be filed with the Stanislaus County Board of Supervisors and the Stanislaus County Local Agency Formation Commission and the Local Agency Formation Commission is hereby requested to hold a hearing and consider this protest as provided for in Section 51243.5 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call

carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-840

A RESOLUTION OF THE MODESTO CITY COUNCIL PROTESTING THE EXECUTION OF AN OPEN SPACE CONTRACT APPLICATION NO. 84-3943 (2 parcels) (C. B. SCOTO, JR.)

WHEREAS, an Open Space Contract Application has been referred to the City of Modesto by the County of Stanislaus, and

WHEREAS, the effect of said application on the City of Modesto has been fully considered, and

WHEREAS, the City staff has recommended that the City protest the execution of said Open Space Contract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby protest the execution of an Open Space Contract on Application No. 84-3943 (2 parcels) (C. B. SCOTO, JR.).

BE IT FURTHER RESOLVED that this protest be filed with the Stanislaus County Board of Supervisors and the Stanislaus County Local Agency Formation Commission and the Local Agency Formation Commission is hereby requested to hold a hearing and consider this protest as provided for in Section 51243.5 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call

carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 83-841

A RESOLUTION AMENDING THE HOUSING AND MAINTENANCE PROGRAM GUIDELINES ESTABLISHED BY RESOLUTION NO. 76-566 AND PREVIOUSLY AMENDED BY RESOLUTIONS NO. 76-1168, 77-802, 77-1285, AND 81-236.

WHEREAS, the City of Modesto has established a Housing Maintenance Program to provide loans and grants for housing rehabilitation in designated areas of the city, and

WHEREAS, by Resolution No. 76-566, the City Council established guidelines for the approval of loans and grants by the Rehabilitation Loan Pool Subcommittee of the Citizens Housing and Community Development Committee, and

WHEREAS, by Resolutions No. 76-1168, 77-802, 77-1285 and 81-236 the Council has previously amended said guidelines, and

WHEREAS, the Council desires to further amend said guidelines to change the terms of deferred payment loans from non-interest bearing loans to interest bearing loans at 3% per annum,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the guidelines set forth in Resolution No. 76-566, as previously amended by Resolutions No. 76-1168, 77-802, 77-1285 and 81-236 are hereby amended to read as follows:

1. Grants may not exceed a maximum of $2,500.00 per dwelling unit.

2. Any proposed grant in excess of $2,500.00 shall be approved by the Citizens Housing and Community Development Committee.

3. Grants shall be limited to small amounts and exceptional hardship cases.

4. Loans for residential repairs to non-residential structures shall be made only where such repairs will benefit the general appearance and assist in the upgrading of the neighborhood, and only when approved by the Citizens Housing and Community Development Committee and the City Council.

5. Deferred payment loans bearing interest at 3% per annum shall be made only to owners who are occupants of the affected property, have an income which does not exceed 50% of the median area income, and who are 62 years of age or older. A waiver of the age requirement may be granted by the Rehabilitation Loan Pool Subcommittee upon a showing of disability, or other extenuating circumstances, which limits current and future income.

6. A loan bearing interest at 3% per annum may be granted to an owner who is an occupant of the affected property and who is not eligible for a deferred payment loan.

7. A loan bearing interest at 5% per annum may be granted to an owner who is not an occupant of the affected property, and whose income does not exceed 120% of the median area income, or who agrees to make the property available to "Section 8" tenants for the period of the loan. A loan bearing interest at 10% per annum may be granted to all other owners of property in the area being rehabilitated.

8. The Chairperson of the Rehabilitation Loan Pool Subcommittee is hereby designated as the person to sign forms indicating that direct loans and grants have been authorized and that funds are to be disbursed under said program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Whiteside, who moved its adoption, which motion

being duly seconded by Councilmember Sutton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney



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MODESTO CITY COUNCIL
RESOLUTION NO. 83-842

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO AUTHORIZING THE ISSUANCE OF BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION AND CONSTRUCTION OF MULTI-FAMILY RENTAL HOUSING FACILITIES BY PAN BUILDERS, INC., A CALIFORNIA CORPORATION, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO

(CAPE COD VILLAS PROJECT)

WHEREAS, the City Council of the City of Modesto (the "City") is authorized by Chapter 7 (commencing with Section 52075) of Part 5 of Division 31 of the Health and Safety Code of the State of California (the "Act") to provide financing for multi-family rental housing facilities within the City, on the terms and conditions therein provided;

WHEREAS, Pan Builders, Inc., a California corporation (the "Company"), has requested the City to issue and sell its not to exceed $6,000,000 principal amount of Multi-Family Rental Mortgage Revenue Bonds (Cape Cod Villas Project) for the purpose of providing financing to the Company for the acquisition of land and construction of an approximately 226-unit multi-family rental structure to be located on two separate parcels, namely, approximately 175 units on a 13-acre parcel, more or less, on the north side of Hatch Road and approximately 51 units on a 3.5-acre parcel, more or less, opposite on the south side of Hatch Road between Crows Landing Road and Carpenter Road in the City of Modesto, California; and

WHEREAS, it is in the public interest, for the public benefit and in furtherance of the public purposes of the City that the City Council authorizes Bonds for such purposes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto, as follows:

1, The City Council hereby authorizes the issuance and sale pursuant to the Act of not to exceed $6,000,000 principal amount of the City's Multi-Family Rental Mortgage Revenue Bonds (Cape Cod Villas Project) for the purpose of providing financing to the Company for the Project.

2. The issuance and sale of said Bonds shall be upon such terms and conditions as may be mutually agreed upon by the City, the Company and the purchaser of said Bonds and shall be issued by or pursuant to resolution of the City Council at a meeting duly held and conducted for such purpose.

3. The proceeds of the Bonds shall include such related and necessary issuance expenses, administrative costs, debt service reserves and interest payments as may be required to accomplish successfully the financing.

4. The City Council does hereby find that the adoption of this Resolution constitutes a substantial inducement to the Company to undertake the acquisition and construction of the Project.

5. This Resolution shall take effect immediately upon its passage and adoption.

The foregoing resolution was introduced at a regular meeting the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Whiteside, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST:

Maxine Coyle
City Clerk of the City of Modesto

APPROVED AS TO FORM

Elwyn Johnson
ELWYN JOHNSON, City Attorney

**MODESTO CITY COUNCIL**
**RESOLUTION NO.** 83-843

LETTER
**A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND** JONES, HALL, HILL AND WHITE TO ACT AS BOND COUNSEL FOR MULTI-FAMILY RENTAL MORTGAGE REVENUE BONDS FOR CAPE COD VILLAS PROJECT

**BE IT HEREBY RESOLVED by the Council of the City of Modesto** letter **that the /agreement between the City of Modesto and** Jones, Hall, Hill and White to act as bond counsel for multi-family rental mortgage revenue bonds for Cape Cod Villas project

**be, and it is hereby approved.**

**BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.**

**The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the** 27th **day of** December, **19** 83, **by Councilmember** Whiteside, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

**AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** None

**ATTEST:** Norrine Coyle
**NORRINE COYLE, City Clerk**

MODESTO CITY COUNCIL
RESOLUTION NO. 83-844A

RE-
A RESOLUTION/APPOINTING MEMBERS OF THE PLANNING COMMISSION (CAROLE DAVIS AND JOHN FLEMING)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Planning Commission for the respective term as indicated:

Carole Davis, term to expire January 1, 1988
John Fleming, term to expire January 1, 1988

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly/re-appointed members of the Planning Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 19 83, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

RESOLUTION NO. 83-844B

A RESOLUTION RECOMMENDING BALVINO IRIZARRY BE APPOINTED TO SIT ON THE STANISLAUS COUNTY PLANNING COMMISSION, REPRESENTING THE MODESTO PLANNING COMMISSION

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions; and

WHEREAS, Section 10-1.01 of Chapter 1 of Title X of the Modesto Municipal Code, as amended by Ord. 2222-C.S., authorizes the Council of the City of Modesto to recommend a Modesto Planning Commission member for appointment to the Chairman of the Stanislaus County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Balvino Irizarry, a Modesto Planning Commission member is hereby recommended for appointment on the Stanislaus County Planning Commission, representing the Modesto Planning Commission, for a term to expire 12/31/85.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the Secretary of the Stanislaus County Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

| | | |
|---|---|---|
| AYES: | Councilmembers: | Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-845

RE-
A RESOLUTION/APPOINTING MEMBERS OF THE BOARD OF ZONING ADJUSTMENT (CHARLES HARDING AND HENRY MARTIN)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Board of Zoning Adjustment for the respective term as indicated:

Charles Harding, term to expire 1/1/88

Henry Martin, term to expire 1/1/88

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Board of Zoning Adjustment and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 19 83, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-846

A RESOLUTION APPOINTING MEMBERS OF THE CITIZENS HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE, THE HOUSING MAINTENANCE & COUNSELING SUBCOMMITTEE, AND THE REHABILITATION LOAN POOL SUBCOMMITTEE

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Citizens Housing and Community Development Committees for the respective term as indicated:

(SEE SCHEDULE "A")

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Citizens Housing and Community Development Committees and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1983, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

| CITIZENS HOUSING & COMMUNITY DEVELOPMENT COMMITTEE | | New Term |
|---|---|---|
| Seat #3 | Board of Supervisors - Nick Blom | Term expires 6/30/86 |
| Seat #9 | Chairperson, R.L.P.S. - Bessie Bresciani | Term expires 6/30/85 |
| Seat #10 | Chairperson, N.A.C. #3 - Wanda Nelson | Term expires 6/30/87 |
| **HOUSING MAINTENANCE & COUNSELING SUBCOMMITTEE** | | |
| Seat #2 | Planning Commission - John Fleming | Term expires 6/30/87 |
| Seat #3 | Human Rights Commission - David Dill | Term expires 6/30/87 |
| **REHABILITATION LOAN POOL SUBCOMMITTEE** | | |
| Seat #2 | Citizen at Large - William Briggs | Term expires 6/30/87 |
| Seat #3 | Rep. of Financial Inst. - Carol Hall Wilson | Term expires 6/30/87 |
| Seat #6 | Provider of Shelter - Bob Dinubilo | Term expires 6/30/86 |

SCHEDULE "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 83-847

A RESOLUTION APPOINTING MEMBER OF THE CULTURE COMMISSION (HECTOR LOZANO)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Culture Commission for the respective term as indicated:

Hector Lozano
810 Souza Avenue
Modesto, Ca. 95351
Term to expire 1/1/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Culture Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 19 83, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 83-848

A RESOLUTION APPOINTING MEMBER OF THE DOWNTOWN IMPROVEMENT DISTRICT (BILL GARDNER)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Downtown Improvement District for the respective term as indicated:

Bill Gardner
1217 10th Street
Modesto, Ca.

Term to expire 3/28/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Downtown Improvement District and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 19 83, by Councilmember Sutton, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk