MODESTO CITY COUNCIL
RESOLUTION NO. 73-1

A RESOLUTION AUTHORIZING RIGHT OF WAY CERTIFICATE FOR SCENIC DRIVE FROM DOWNEY AVENUE TO COUNTY HOSPITAL, PROJECT FAU-M-6016 (001).

WHEREAS, it is necessary for the City of Modesto to make a certification to the State of California in connection with the right of way for Scenic Drive from Downey Avenue to County Hospital, Project FAU-M-6016 (001), and

WHEREAS, it is necessary for the City of Modesto to agree to hold the State of California harmless from any liability which may result in the event the right of way is not cleared as certified.

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 right of way acquisition for Scenic Drive from Downey Avenue to County Hospital, Project FAU-M-6016 (001). Said Right of Way Certificate shall also include the following paragraph:

> "The City of Modesto agrees to hold the State of California harmless from any liability which may result in the event the right of way is not clear as certified. If the State is named in a damage suit, as a result of the right of way not being clear as certified, the City of Modesto agrees that, at the request of the State, it will assume full responsibility for the conduct of the defense or provide such assistance as the State may require and will pay any judgments issued against the State and all costs in connection with the defense."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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. 73-2

A RESOLUTION APPROVING THE FINAL MAP OF THE COFFEE PLAZA NO. 8 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger, husband and wife, and Harley D. Brannan and Norma Brannan, husband and wife,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 26.306 acres, known as the Coffee Plaza No. 8 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 1st day of August, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Coffee Plaza No. 8 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 of the Coffee Plaza No. 8 Subdivision 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 in the amount of Six Thousand, One Hundred Ninety-One and no/100ths ($6,191.00) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 2nd day of January, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-3

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GREGORY DEVELOPMENT CO., A CORPORATION, AND LEE BLOXHAM AND JUNE BLOXHAM FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1407 STANDIFORD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Gregory Development Co., a Corporation, and Lee Bloxham and June Bloxham for sewer service to property outside the City at 1407 Standiford 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 2nd day of January, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-4

A RESOLUTION APPROVING AMENDMENT TO MODESTO CITY-COUNTY AIRPORT SECURITY PLAN

WHEREAS, on September 18, 1972, the Modesto City Council approved the Modesto City-County Airport Security Plan; and

WHEREAS, the Federal Aviation Administration has amended Federal Aviation Regulations Part 107 dealing with Airport Security; and

WHEREAS, this amendment requires airport operators to furnish law enforcement officers at each airport during the passenger boarding of each certificated carrier; and

WHEREAS, an amendment to the Modesto City-County Airport Security Plan has been prepared to comply with the amended Federal Aviation Administration regulations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the aforementioned amendment to the Modesto City-County Airport Security Plan, entitled "attachment 3", 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 January, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-5

A RESOLUTION INCREASING THE TRANSFER FROM THE GENERAL FUND (FUND NO. 101) TO THE TUOLUMNE RIVER PARK FUND (FUND NO. 323) FROM $30,155.00 TO $32,121.00, AND RESCINDING RESOLUTION NO. 72-1296.

WHEREAS, the City of Modesto entered into an agreement with the City of Ceres and the County of Stanislaus to acquire property for and develop, maintain and operate a regional park known as the "Tuolumne River Regional Park", and

WHEREAS, commencing with the 1972-73 fiscal year each of the parties agreed to budget for said purposes during each fiscal year an amount equal to the revenue derived from a two cent (2 ¢) levy on their total gross assessment for such fiscal year, and

WHEREAS, the City of Modesto budgeted $30,155.00 in the General Fund (Fund No. 101) to be transferred to the Tuolumne River Park Fund (Fund No. 323) for said purpose during the 1972-73 fiscal year, and

WHEREAS, the gross assessed value for the City of Modesto exceeded the estimate used for budgeting purposes and an additional transfer of $1,966.00 is needed.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that the amount budgeted in the General Fund (Fund No. 101) for transfer to the Tuolumne River Park Fund (Fund No. 323) be and is hereby increased $1,966.00 for the 1972-73 fiscal year.

BE IT FURTHER RESOLVED that Resolution No. 72-1296 is hereby rescinded.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-6

A RESOLUTION DETERMINING THAT PUBLIC WORKS APPROVED PONDING SYSTEMS MEET THE CONDITIONS OF APPROVAL IN CERTAIN P-D ZONES REQUIRED TO HAVE "POSITIVE STORM DRAINAGE".

WHEREAS, Planned Development Zones P-D(77), P-D(82), and P-D(106) which are all located east of Riverside Drive north of Yosemite Boulevard in the City of Modesto are required by conditions of approval to be served by "positive storm drainage"; and

WHEREAS, at the time these conditions were originally placed upon said planned development zones, it was envisioned but not expressly required that the "positive storm drainage" would be accomplished by extending a drainage line to Dry Creek, approximately 1/2 mile to the north, which line would also serve the adjoining P-D(69) development; and

WHEREAS, Planned Development Zone P-D(69), which is located immediately north of the above referred to P-D zones, developed prior to and with storm drainage independent of the above referred to P-D zones; and

WHEREAS, the new owner/developer of P-D(77), P-D(82), and P-D(106) states that it is not economically feasible to extend an independent storm drainage line the distance to Dry Creek to serve his own properties and therefore requests a Public Works Department approved ponding system to be located immediately south of his planned development zones; and

WHEREAS, the Planning Commission by Resolution 72-172 has found and determined that construction of a positive storm sewer line extending to Dry Creek for only the applicant's property is not economically feasible since the line would not serve to drain other properties in the vicinity and thereby help defray the cost and that a Public Works Department approved ponding system would adequately serve the needs for positive storm drainage for said planned development zones; and

WHEREAS, the Planning Commission by Resolution No. 72-172 has recommended that this Council determine that for the purposes of Planned Development Zones P-D(77), P-D(82), and P-D(106), which are required to be served by "positive storm drainage", that a Public Works Department approved ponding system would fulfill said conditions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that for the reasons set forth above it hereby determines that a Public Works Department approved ponding system will fulfill the conditions of approval of Planned Development Zones P-D(77), P-D(82), and P-D(106), that said P-D zones be served by "positive storm drainage".

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: Elliott

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-7

A RESOLUTION OF THE MODESTO CITY COUNCIL OFFERING NO OBJECTION TO PROPOSED OPEN SPACE CONTRACT APPLICATION NO. 73-1415 (HANS WAGNER)

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 Open Space Contract Application not be opposed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does not oppose Open Space Contract Application No. 73-1415, (HANS WAGNER).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form (1/24/72)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-8

A RESOLUTION OF THE MODESTO CITY COUNCIL OFFERING NO OBJECTION TO PROPOSED OPEN SPACE CONTRACT APPLICATION NO. 73-1424 (NORMAN J. VLACH)

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 Open Space Contract Application not be opposed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does not oppose Open Space Contract Application No. 73-1424, (NORMAN J. VLACH).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form (1/24/72)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-9

A RESOLUTION APPOINTING COUNCILMAN ELLIOTT AS CITY OF MODESTO REPRESENTATIVE AND COUNCILMAN NEWTON AS ALTERNATE REPRESENTATIVE ON THE BOARD OF COMMINITY ACTION COMMISSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Elliott is hereby appointed as representative for the City of Modesto on the Board of Community Action Commission and Councilman Newton as alternate representative.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-10

RE
A RESOLUTION/APPOINTING MEMBERS OF THE PLANNING COMMISSION FOR A TERM ENDING JANUARY 1, 1977 (John C. Sutton and Dr. Kenneth Marple)

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: (Term ending January 1, 1977)

John C. Sutton
1110 Notre Dame
Modesto, California

Dr. Kenneth Marple
217 Lois Avenue
Modesto, California

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly/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 2nd day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-11

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF SETLIFF BROTHERS TO APPEAL THE BOARD OF ZONING ADJUSTMENT'S DECISION ELIMINATING TWO DRIVEWAY APPROACHES TO COIN-OPERATED CAR WASH ON YOSEMITE BOULEVARD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that February 5, 1973 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Setliff Brothers to appeal the Board of Zoning Adjustment's decision eliminating two driveway approaches to coin-operated car wash on Yosemite Boulevard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January , 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-12

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF ECOLOGY ACTION EDUCATIONAL INSTITUTE FOR LICENSE TO COLLECT SALVAGEABLE WASTE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 22, 1973 , at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Ecology Action Educational Institute for license to collect salvageable waste.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January , 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-13

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF AN ARBOR IN MANCINI PARK

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

SECTION 1. The plans and specifications for construction of an arbor in Mancini 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 January 23, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-14

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR INSTALLATION OF WATER LINES IN W. RUMBLE ROAD AND SUNSET COUNTRY ESTATES

WHEREAS, Resolution No. 72-1262 , adopted by the Council of the City of Modesto on December 18, 1972 , approved the plans and specifications for the installation of Water Lines in W. Rumble Road and Sunset Country Estates
and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Water Lines in W. Rumble Road and Sunset Country Estates
were opened at 10:00 A.M. on January 2, 1973 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 Joe Martin in the amount of $17,106.50

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $17,106.50

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 8th day of January, 19 73 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-15

A RESOLUTION ACCEPTING THE CONSTRUCTION OF FOR REVISION OF STREET LIGHT CIRCUITS FROM STATION NO. 4 AND STATION NO. 3 (Ferrero Electric Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of for revision of street light circuits from Station No. 4 and Station No. 3 has been completed by Ferrero Electric Co.

in accordance with the contract agreement dated June 12, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of for revision of street light circuits from Station No. 4 and Station No. 3 be accepted from said contractor, Ferrero Electric Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $32,795.30 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 January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-16

A RESOLUTION ACCEPTING THE CONSTRUCTION ~~OF~~ FOR REVISION OF STREET LIGHTS AND CIRCUITS ON TENTH STREET FROM "G" STREET TO "D" STREET AND ELEVENTH STREET FROM NEEDHAM TO "M" STREET (Industrial Electrical Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction ~~of~~ for revision of street lights and circuits on Tenth Street from "G" Street to "D" Street and Eleventh Street from Needham to "M" Street has been completed by Industrial Electrical Co. in accordance with the contract agreement dated August 14, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction ~~of~~ for revision of street lights and circuits on Tenth Street from "G" Street to "D" Street & Eleventh Street from Needham to "M" Street be accepted from said contractor, Industrial Electrical Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $19,722.24 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 January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-17

A RESOLUTION APPROVING THE FINAL MAP OF THE SMOKE TREE NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Roy E. Campbell and Anna Kay Campbell, husband and wife, and James J. Scritchfield and Bonnie M. Scritchfield, husband and wife,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 18.492 acres, known as the Smoke Tree No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 21st day of March, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Smoke Tree No. 1 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 of the Smoke Tree No. 1 Subdivision 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 in the amount of Four Thousand, Three Hundred Eight and 65/100ths ($4,308.65) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 8th day of January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-18

A RESOLUTION APPROVING THE FINAL SUBDIVISION MAP OF THE NEWPORTER, A CONDOMINIUM PROJECT, OF THE CITY OF MODESTO.

WHEREAS, Harold S. France is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, known as The Newporter, a condominium project, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 12th day of September, 1972, and

WHEREAS, the final subdivision map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final subdivision map of said tract 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 the said final subdivision map of The Newporter, a condominium project, be approved; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of Sixty-one and 70/100ths ($61.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 8th day of January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

(SEAL)

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-19

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LANCE E. AND CAROL L. ELLIS AND NORRIS L. AND DORIS M. KLINK FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1311 STANDIFORD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lance E. and Carol L. Ellis and Norris L. and Doris M. Klink for sewer service to property outside the City at 1311 Standiford 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 8th day of January, 19 73 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-73-20

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SAVINGS ACCOUNT WITH FIDELITY SAVINGS & LOAN ASSOCIATION FOR THE CITY OF MODESTO'S DEFERRED COMPENSATION PLAN.

WHEREAS, Resolution No. 72-800 adopted by the Council of the City of Modesto on June 26, 1972, established a Deferred Compensation Plan for employees of the City of Modesto, and

WHEREAS, the Deferred Compensation Agreements entered into by and between the City of Modesto and some of its employees who have elected to participate in the Plan provide for the monies deferred by said employees to be invested in a savings account to be established with a savings and loan association, and

WHEREAS, it is deemed desirable to establish such a savings account with the Fidelity Savings & Loan Association,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the establishment of a savings account with Fidelity Savings & Loan Association for the investment of monies deferred by employees pursuant to the City of Modesto's Deferred Compensation Plan and as authorized by Section 53609 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 8th day of January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-21

A RESOLUTION AMENDING SECTION 5 AND SECTION 7 OF RESOLUTION NO. 72-800 ENTITLED "A RESOLUTION ESTABLISHING A DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF MODESTO", AND RESCINDING RESOLUTION NO. 72-958.

BE IT RESOLVED by the Council of the City of Modesto that Section 5 and Section 7 of Resolution No. 72-800 entitled "A Resolution Establishing A Deferred Compensation Plan For The Employees Of The City of Modesto" be amended to read as follows:

SECTION 5. Ross Campbell, Howard Neyens and John R. Doxey are hereby appointed as the Deferred Compensation Plan Committee (hereinafter called the "Committee"), to administer the Plan established hereby. Ross Campbell shall be Chairman of said Committee and any two of its members are hereby authorized to act on behalf of said Committee. Said 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, and such further powers and duties as may be delegated to it from time to time by this Council.

SECTION 7. 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 Ross Campbell, Howard Neyens and John R. Doxey as the members of the Deferred Compensation Plan Committee.

BE IT FURTHER RESOLVED that Resolution No. 72-958 adopted by the City Council on August 21, 1972, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

(SEAL)

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-22

A RESOLUTION AUTHORIZING EXECUTION OF A QUITCLAIM DEED TO CERTAIN PROPERTY ON BRIGGSMORE AVENUE NEAR PRESCOTT ROAD AND SPECIFYING THE CONDITIONS FOR DELIVERY THEREOF (SAVE MART).

WHEREAS, by letter dated June 1, 1972, Save Mart of Modesto, Inc. indicated its belief that the City of Modesto owned property on Briggsmore Avenue adjacent to property already owned by Save Mart at Briggsmore Avenue and Prescott Road, and requested the right to purchase said property from the City of Modesto, and

WHEREAS, the City Council referred said request to the Modesto City Planning Commission which found and determined that said property was not needed for present or future public purposes and recommended to the City Council that it be disposed of as determined by the City Council, and

WHEREAS, by letter dated September 18, 1972, Save Mart of Modesto, Inc. offered to purchase said property "owned by the City of Modesto" and located on Briggsmore Avenue adjoining property already owned by Save Mart for the sum of Seven Thousand, Five Hundred and no/100ths ($7,500.00) Dollars, and

WHEREAS, on September 25, 1972, the City Council by Resolution No. 72-1030 accepted said offer of Save Mart of Modesto, Inc. to purchase from the city said property designated as Parcel 6532-4 in Block 6532, on Briggsmore Avenue in the City of Modesto, shown on Exhibit "A" attached to said Resolution No. 72-1030 for the sum of Seven Thousand, Five Hundred and no/100ths ($7,500.00) Dollars, and

WHEREAS, the City's interest in said property was acquired several years ago from the Modesto Irrigation District at the time the Modesto Irrigation District's lateral was realigned and the city acquired property in the area from several property owners for the construction of Briggsmore Avenue, and

WHEREAS, the original request by Save Mart for the right to purchase said property, the action by the Planning Commission in recommending it be disposed of by the city, the later offer by Save Mart to purchase said property and the acceptance of that offer

by the City Council was all predicated on the good faith belief by both the city and Save Mart that the city owned fee title to said property, and

WHEREAS, when the escrow was opened and the Security Title Insurance Company conducted a title search of said property, they determined that the city did not have fee title to said property, and

WHEREAS, on November 20, 1972 the City Council by Resolution No. 72-1194 rescinded said transaction and said Resolution No. 72-1030, and

WHEREAS, Save Mart now desires to purchase a quitclaim deed to said property from the city for the sum of Two Thousand, Five Hundred and no/100ths ($2,500.00) Dollars and the release and indemnity agreement referred to herein,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Mayor and City Clerk are hereby authorized to execute on behalf of the city a quitclaim deed of said property, a description of which is attached hereto and marked Exhibit "A", to Save Mart of Modesto, Inc., a corporation, delivery of said quitclaim deed to be on the following conditions:

1. That Save Mart shall pay to the city the sum of Two Thousand, Five Hundred and no/100ths ($2,500.00) Dollars, and

2. That Save Mart shall execute and deliver to the city, a Release, Indemnity and Hold Harmless Agreement, a copy of which is attached hereto and marked Exhibit "B".

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

(SEAL)

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

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

All that portion of the Southwest quarter of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the Southeastern corner of PARK MANOR NO. 4 Subdivision, as per map filed October 10, 1961, in Volume 19 of Maps, Page 85, Stanislaus County Records, said point being on the former Northern line of the Modesto Irrigation District Lateral No. 3; thence along the Southern line of said Park Manor No. 4 Subdivision, North 84° 15' 00" West, 373.69 feet, to its intersection with the Northern line of a 60.00 foot Public Road known as West Briggsmore Avenue, said point also being on a Southern line of Lot 12 of Block 6531 of the Park Manor No. 4 Subdivision and the true point of beginning of this description; thence continuing along the Southern line of Park Manor No. 4 Subdivision and said Lot 12, North 84° 15' 00" West, 69.35 feet; thence continuing along the Southern boundary of Park Manor No. 4 on a tangent curve concave to the Southeast, having a Radius of 365.00 feet, a Central Angle of 64° 09' 30" and an Arc Length of 408.72 feet; thence along a tangent line, South 31° 35' 30" West, 69.35 feet; thence along a non-tangent curve concave to the Southeast, having a Radius of 1110.00 feet, a Central Angle of 26° 18' 32" and an Arc Length of 509.69 feet, to the point of beginning, from which point a radial line bears South 13° 10" 29" East.

Exhibit "A"

RELEASE, INDEMNITY
AND HOLD HARMLESS AGREEMENT

In consideration of the execution and delivery by the City of Modesto of a quitclaim deed to certain property on Briggsmore Avenue near Prescott Road, Save Mart of Modesto, Inc. (hereinafter referred to as Save Mart) hereby ratifies the rescission by the City of Modesto by City Council Resolution No. 72-1194 of a prior arrangement between the parties regarding said property, and Save Mart hereby releases the City of Modesto, and all of its officers, agents and employees, from all liabilities, claims and damages, whether known or unknown, arising out of or related to said arrangement or the failure to complete it. Save Mart further agrees to indemnify and hold the City of Modesto, and its officers, agents and employees, free and harmless from all liabilities, claims and damages, whether known or unknown, by any person, firm or corporation claiming by or through Save Mart and arising out of or related to said arrangement or the failure to complete it.

Save Mart hereby waives the provisions of Section 1542 of the California Civil Code which provides:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

Dated:

SAVE MART OF MODESTO, INC.,
a corporation

By_____

By_____

Exhibit "B"

MODESTO CITY COUNCIL
RESOLUTION NO. 73-23

A RESOLUTION APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT AS A REPRESENTATIVE OF THE PLANNING COMMISSION (Kenneth Marple)

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 as a representative of the Planning Commission for the respective term as indicated: (Term to expire January 1, 1974)

Dr. Kenneth Marple
217 Lois Avenue
Modesto, California 95350

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 as a representative 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 8th day of January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 72- 24

A RESOLUTION OF THE MODESTO CITY COUNCIL OFFERING NO OBJECTION TO PROPOSED OPEN SPACE CONTRACT APPLICATION NO. 73-1439 (MAY E. MORROW)

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 Open Space Contract Application not be opposed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does not oppose Open Space Contract Application No. 73-1439 , (May E. Morrow).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January , 19 73 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form (1/24/72)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-25

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 9-3-9 OF THE ZONING MAP TO RECLASSIFY FROM ONE-FAMILY RESIDENTIAL ZONE, R-1 AND PLANNED DEVELOPMENT ZONES P-D(48), P-D(50) and P-D(51) TO PLANNED DEVELOPMENT (Stone Brothers and Associates)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 2, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 9-3-9 of the Zoning Map to reclassify from One-Family Residential Zone, R-1, and Planned Development Zones P-D(48), P-D(50) and P-D(51) to Planned Development, property located west of Coffee Road and north of Sylvan Avenue the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-3 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 9-3-9 of the Zoning Map be set for February 5, 1973 at 4:10 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1973, by Councilmen Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

R-1 to P-D

All that certain real property situate in portion of the Southeast Quarter of the Northeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Commencing at the East Quarter corner of said Section 9; thence North 0° 48' West along the East line of said Section 9 a distance of 1317.60 feet to the Northeast corner of said Southeast Quarter of the Northeast Quarter of Section 9; thence North 89° 16' West along the North line of said Southeast Quarter 220.08 feet to the point of beginning of this description, said point being the Northwest corner of City of Modesto P-P-D(52); thence continuing along said North line of the Southeast Quarter North 89° 16' West 1099.47 feet to the Northwest corner of said Southeast Quarter; thence South 0° 49' East along the West line of said Southeast Quarter 770.28 feet; thence South 89° 16' East 831.31 feet; thence North 10° 43' 16" East 40.59 feet; thence Westerly 23.36 feet along a curve, normal to the preceeding line, concave to the North, having a radius of 1000.00 feet and a central angle of 1° 20' 18"; thence North 12° 03' 34" East along a radial line 171.25 feet; thence South 81° 48' East 45.00 feet; thence North 89° 12' East 200.00 feet; thence North 0° 48' West 558.49 feet to the point of beginning.

Containing 18.165 Acres.

P-D(51) to P-D

All that certain real property situate in portion of the Southeast Quarter of the Northeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California described as follows:

Commencing at the East Quarter section corner of said Section 9; thence North 0° 48' West along the east line of said Section 9 a distance of 580.00 feet; thence South 89° 12' West a distance of 220.00 feet to the true point of beginning of this description; thence North 0° 48' West a distance of 185.00 feet; thence South 89° 12' West a distance of 200.00 feet; thence North 81° 48' West a distance of 45.00 feet; thence South 12° 03' 34" West a distance of 171.25 feet; thence in an easterly direction along a curve concave to the north; through a central angle of 12° 51' 34", having a radius of 1000.00 feet, a curve distance of 224.44 feet; thence north 89° 12' East a distance of 60.00 feet to the point of beginning.

Containing 1.094 Acres Gross.

P-D(50) to P-D

All that certain real property situate in portion of the Southeast Quarter of the Northeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Commencing at the East Quarter corner of said Section 9; thence North 0° 48' West along the East line of said Section 9 a distance of 580.00 feet; thence South 89° 12' West 280.00 feet; thence Westerly 80.44 feet along a tangent curve concave to the North, having a radius of 1000.00 feet and a central angle of 4° 36' 33" to the point of beginning of this description; thence continuing West 120.64 feet along said tangent curve concave to the North, having a radius of 1000.00 feet and a central angle of 6° 54' 43"; thence South 10° 43' 16" West along the extensions of a radial line 40.59 feet; thence South 89° 16' East 126.86 feet; thence North 0° 39' East 26.26 feet to the point of beginning.

Containing 0.091 Acres.

P-D(48) to P-D

All that certain real property situate in portion of the Southeast Quarter of the Northeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, described as follows:

Commencing at the East Quarter corner of said Section 9; thence North 0° 48' West along the East line of said Section 9 a distance of 580.00 feet; thence South 89° 12' West 220.00 feet to the point of beginning of this description; thence South 89° 21' West 60.00 feet; thence Westerly 80.44 feet along a tangent curve concave to the North having a radius of 1000.00 feet and a central angle of 4° 36' 33"; thence South 0° 39' West along a non-tangent line 26.26 feet; thence South 89° 16' East 141.07 feet; thence North 0° 48' West 26.79 feet to the point of beginning.

Containing 0.083 Acres.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-26

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 AND RESCINDING RESOLUTION NO. 72-1279
(930 El Terino Avenue, a portion of Block 1045 - Everett L. Costa and Mrs. Josephine Leal ($438.45)

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 7, 1972, adopt its Resolution No. 72-98, 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, gutter and sidewalk on property abutting the property hereafter described, and

WHEREAS, December 18, 1972, at 4:20 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 $438.45.

SECTION 2. That the cost of the aforesaid work, being the amount of $438.45, be assessed in 9 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 72.54 feet of the North 263-54 feet of the East 140 feet of Lot 6 of Rice Colony as per map filed February 19, 1904 in Volume 1 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-2705-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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.

BE IT HEREBY RESOLVED Resolution No. 72-1279 dated 12-18-72 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-27

A RESOLUTION SETTING TIME AND PLACE FOR HEARING DISCUSSION AND FOR STAFF REPORT ON SANITARY SEWER SYSTEM ANALYSIS PRESENTED BY ATTORNEY AZEVEDO ON BEHALF OF EMPIRE RESIDENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that February 12, 1973 , at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of hearing discussion and for staff report on Sanitary Sewer System Analysis presented by Attorney Azevedo on behalf of Empire Residents.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January , 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-28

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR BUS

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

SECTION 1. The plans and specifications for a bus

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 20, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-29

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PLAY AREAS, INTERNAL WALKS AND PICNIC UNITS AT MARSHALL AND SHERWOOD PARKS - (A. C. Construction Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Play areas, Internal Walks and Picnic Units at Marshall and Sherwood Parks has been completed by A. C. Construction Co.

in accordance with the contract agreement dated May 15, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of Play Areas, Internal Walks and Picnic Units at Sherwood and Marshall Parks be accepted from said contractor, A. C. Construction Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $50,862.00 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meetingof the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-30
ADJUSTMENT
A RESOLUTION ACCEPTING THE ~~CONSTRUCTION~~ OF GATE VALVE STANDS
(W. M. Lyles Co.)

WHEREAS, a report has been filed by the Director of Public Works that the adjustment ~~construction~~ of Gate Valve Stands

has been completed by W. M. Lyles Co.

in accordance with the contract agreement dated September 18, 1972.

NOW, THEREFORE, BE IT RESOLVED that the adjustment ~~construction~~ of Gate Valve Stands be accepted from said contractor, W. M. Lyles Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $10,631.00 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meetingof the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-31

A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS OLD OAKDALE NO. 2 ADDITION AND DECLARING THE INTENTION OF THE COUNCIL TO PROCEED WITH THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 72-1220, adopted on December 4, 19 72, the Council fixed the 15th day of January, 19 73, at the hour of 4:05 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 considering the petition of the owners of not less than one-fourth of the land in the hereinafter described territory by area and by assessed value requesting annexation of said territory to said City, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 72-1220 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and in the Riverbank News, a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus, said publications being completed at least twenty (20) days prior to the date set for the hearing, as required by Sections 35307 and 35311 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and no person owning real property within such territory appeared at said time and place to protest said annexation and no written protests have been filed prior to final adjournment of the hearing on protests to the proposed annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that a majority protest against the proposed annexation of said Old Oakdale No. 2 Addition has not been made and hereby declares its intention to proceed with the annexation of said territory, which is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Maxwell
Public Works Department

R.C.M. 1-10-73

September 19, 1972

Revised October 11, 1972

OLD OAKDALE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 14, the Northwest quarter of the Northwest quarter of Section 23, and the East half of Section 22, 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 ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, said point also being the corner common to Sections 14, 15, 22 and 23; thence along the Southern boundary of said ADDITION (230), said line being also common to Sections 15 and 22, South 89°50'35" West, 1311.57 feet, to the Northeastern corner of the ROSE ACRES NO. 3 ADDITION (225), as per description filed January 24, 1969, as Instrument 2734, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (225), South 00°41'30" East, 644.62 feet, to the Northeastern corner of the KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (179), South 00°41'30" East, 514.00 feet, to the Northeastern corner of the GREENFIELD ADDITION (251), as per description filed April 17, 1970, as Instrument 12047, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (251), South 00°41'30" East, 1635.80 feet, to the Northeastern corner of the ROSE AVENUE SCHOOL ADDITION (176), as per description filed March 30, 1965, as Instrument 12390, Stanislaus County Records; thence along the boundary of said ADDITION (176), the following courses; South 00°41'30" East, 511.00 feet; North 89°59'50" East, 1290.46 feet, to a point on the Western boundary of the MORNINGSIDE HEIGHTS ADDITION (192), as per description filed June 14, 1966, as Instrument 21018, Stanislaus County Records; thence along the boundary of said ADDITION (192), the following courses, North 00°45'00" West, 661.80 feet; North 89°58'20" East, 3.50 feet; North 00°45'00" West, 1323.63 feet, to the Northwestern corner of said ADDITION (192), said point being also on the centerline of a 40 foot public road known as East Orangeburg Avenue; thence along the Northern boundary of said ADDITION (192), South 89°36'04" East, 1333.92 feet; thence leaving the existing City Limits, North 00°46'43" West, 1543.74 feet, to the Southern line of the M.I.D. Lateral No. 3 right-of-way; thence along said Southern line, North 82°18'00" West, 1009.36 feet; thence along a tangent curve concave to the South, having a Radius of 403.10 feet, a Central Angle of 35°14'00", and an Arc Length of 247.88 feet; thence along said right-of-way, South 62°28'00" West, 77.25 feet, to the Eastern boundary of the ROSE ACRES NO. 4 ADDITION (230); thence along said Eastern boundary, South 00°01'26" West, 268.35 feet, to the point of beginning, containing 147.423 Acres, more or less.

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-32

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. (1505 Del Monte Avenue, Lot 19 of Block 931 - David A. Azevedo - $327.80)

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 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, January 15, 19 73, at 4:10 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 $327.80.

SECTION 2. That the cost of the aforesaid work, being the amount of $327.80, be assessed in 7 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 19 of Block 931 of College Gardens as per map filed May 27, 1946 in Volume 14 of Maps, Page 58, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 115-0412-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-33

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. (Along W. Roseburg Avenue at 1130 Amherst Ave., a portion of Block 830 - Phillip B. Berry - $298.40)

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 22, 1972, adopt its Resolution No. 72-684, 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, January 15, 1973, at 4:10 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 $298.40.

SECTION 2. That the cost of the aforesaid work, being the amount of $298.40, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 118.10 feet of the East 300 feet, more or less, of the South 110 feet of the North 140 feet of the Northwest ¼ of the Southwest ¼ of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-03 114-0125-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-34

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. (Along Westland Dr. and Oakwood Dr. at 1626 Oakwood Dr., Lot 1 of Block 6022 - Edward A. Borba - $407.60)

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, January 15, 1973, at 4:10 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 $407.60.

SECTION 2. That the cost of the aforesaid work, being the amount of $407.60, be assessed in 8 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1541-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-35

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. (Along Tully Road at 1326 Del Rey Avenue, Lot 1 of Block 6027 - Joseph Carota - $290.00)

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 2, 1972, adopt its Resolution No. 72-595, 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, January 15, 1973, at 4:10 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 $290.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $290.00, be assessed in 6 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 6027 of College Center as per map filed May 29, 1952 in Volume 17 of Maps, Page 36, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-2156-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-36

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. (1612 Tully Road, Lot 16 of Block 6142 - Mario Cannizzaro - $490.00)

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 2, 1972, adopt its Resolution No. 72-595, 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, January 15, 1973, at 4:10 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 $490.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $490.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 16 of Block 6142 of Woodman Tract as per map filed October 8, 1946 in Volume 16 of Maps, Page 6. Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 118-0144-003(

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-37

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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. (Along Bodem Street at 128 Bodem Street, Lot 6 of Block 596 - Manuel S. Cardoza, Jr. - $438.00)

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 2, 1972, adopt its Resolution No. 72-595, 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 gutter on property abutting the property hereafter described, and

WHEREAS, January 15, 1973, at 4:10 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 $438.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $438.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 596 of Eastern Addition as per map filed February 26, 1912 in Volume 6 of Maps, Page 31, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 111-1015-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-38

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. (1542 Glenwood Drive, Lot 26 of Block 6112 - Avril C. Chandler - $123.00)

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 June 8, 1972, adopt its Resolution No. 72-725, 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, January 15, 1973, at 4:10 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 $123.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $123.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 26 of Block 6112 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-1003-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-39

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. (1528 Glenwood Drive, Lot 21 of Block 6112 - James R. Cooper - $118.00)

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 June 8, 1972, adopt its Resolution No. 72-725, 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, January 15, 1973, at 4:10 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 $118.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $118.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 21 of Block 6112 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-1008-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-40

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. (800 Floyd Avenue, a portion of Block 12921 - Henry Esau - $360.00)

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, January 15, 1973, at 4:10 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 $360.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $360.00, be assessed in 7 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 81 feet, more or less, of the North 110 feet, more or less, of the East 120 feet, more or less, of the West 300 feet, more or less, of Lot 19 of Coffee Colony as per map filed January 13, 1906 in Volume 2 of Maps, Page 22, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3646-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-41

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. (1530 Glenwood Drive, Lot 22 of Block 6112 - Robert E. Crawford - $123.00) (Formerly owned by Muriel M. Farris)

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 June 8, 1972, adopt its Resolution No. 72-725, 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, January 15, 1973, at 4:10 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 $123.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $123.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 22 of Block 6112 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-1007-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-42

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. (1532 Glenwood Drive, Lot 23 of Block 6112 - Goldie B. Fischer - $123.00)

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, January 15, 19 73, at 4:10 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 $123.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $123.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 23 of Block 6112 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-1006-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-43

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. (1705 College Avenue, a portion of Block 6139 - Gerard N. Follettie - $178.00)

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 27, 1972, adopt its Resolution No. 72-438, 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, January 15, 1973, at 4:10 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 $178.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $178.00, be assessed in 3 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 45 feet of Lot 7 and the South 25 feet of Lot 8 of Block 6139 of College Avenue Tract as per map filed November 9, 1936 in Volume 11, Page 34, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 118-0212-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-44

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. (815 Coldwell Avenue, Lot 12 of Block 800 - Henry D. Garaventa - $491.50)

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 24, 1972, adopt its Resolution No. 72-568, 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, January 15, 1973, at 4:10 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 $491.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $491.50, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 of Block 800 of Liberty Park Tract as per map filed July 14, 1941 in Volume 14 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1150-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 19 73, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-45

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. (Along Kearney Avenue at 1429 Del Vista Ave., Lot 9 of Block 918 - Iva Mae Gause - $301.00)

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 8, 1972, adopt its Resolution No. 72-629, 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, January 15, 1973, at 4:10 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 $301.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $301.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 918 of College Gardens as per map filed March 27, 1946 in Volume 14 of Maps, Page 58, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 115-0724-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 prodedure 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-46

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. (1625-27 Tully Road, a portion of Block 6116 - Kenneth C. Geist - $185.00)

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 2, 1972, adopt its Resolution No. 72=595, 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, January 15, 1973, at 4:10 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 $185.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $185.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 75 feet of the South 385.02 feet of the West 128 feet of the Southeast ¼ of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 117-0570-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-47

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. (Along W. Roseburg Ave. at 1021 W. Roseburg Ave., Lot 11 of Block 6010 - Harry W. Hall - $353.00)

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 22, 1972, adopt its Resolution No. 72-684, 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, January 15, 1973, at 4:10 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 $353.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $353.00, be assessed in 7 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 of Block 6010 of Chapin Tract No. 2 as per map filed July 28, 1950 in Volume 17 of Maps, Page 9, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 118-1329-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-48

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. (Along College Avenue at 1045 Princeton Ave., Lot 8 of Block 820 - Gladys Hansen - $669.80)

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 March 27, 1972, adopt its Resolution No. 72-419, 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, January 15, 1973, at 4:10 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 $669.80.

SECTION 2. That the cost of the aforesaid work, being the amount of $669.80, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 of Block 820 of Campus Tract as per map filed October 11, 1937 in Volume 11 of Maps, Page 37, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-0901-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-49

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. (Along W. Roseburg Avenue at 1536 W. Roseburg Ave., Lot 10 of Block 931 - Charles E. Harnden - $253.00)

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 22, 1972, adopt its Resolution No. 72-684, 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, January 15, 1973, at 4:10 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 $253.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $253.00, be assessed in 5 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 of Block 931 of College Gardens No. 2 as per map filed December 9, 1946 in Volume 16 of Maps, Page 10, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 115-0401-001)
s

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-50

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. (1525 Carver Road, Lot 3 of Block 6108 - Edwin G. Hartley - $139.50)

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 June 5, 1972, adopt its Resolution No. 72-725, 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, January 15, 1973, at 4:10 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 $139.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $139.50, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 3 of Block 6108 of Dunham Tract as per map filed December 26, 1946 in Volume 16 of Maps, Page 15, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-09 029-0119-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-51

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. (1521 Carver Road, Lot 4 of Block 6108 - Reginald Hartley - $122.00)

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 June 5, 1972, adopt its Resolution No. 72-725, 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, January 15, 1973, at 4:10 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 $122.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $122.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 4 of Block 6108 of Dunham Tract as per map filed December 26, 1946 in Volume 16 of Maps, Page 15, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-09 029-0120-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 19 73, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-52

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. (1319 Carver Road, a portion of Block 6252 - Kenneth L. Hill, Jr. - $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 June 5, 1972, adopt its Resolution No. 72-725, 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, January 15, 1973, at 4:10 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 as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 17 and 18 and the South 10.56 feet of Lot 16 of Block 6252 of Ben Don Village as per map filed June 28, 1950 in Volume 17 of Maps, Page 6, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-0454-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-53

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. (Along Kearney Ave. at 1417 Cherrywood Dr., Lot 6 of Block 6025 - Milan G. Koetting - $342.50)

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 8, 1972, adopt its Resolution No. 72-629, 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, January 15, 1973, at 4:10 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 $342.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $342.50, be assessed in 7 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 6025 of College Center as per map filed May 29, 1952 in Volume 17 of Maps, Page 36, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-2110-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 19 73, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-54

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. (Along College Avenue and Princeton Avenue at 1046 Princeton Avenue, Lot 10 of Block 813 - George S. Kounias - $764.40)

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 27, 1972, adopt its Resolution No. 72-421, 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, January 15, 1973, at 4:10 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 $764.40.

SECTION 2. That the cost of the aforesaid work, being the amount of $764.40, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 and the North 32.50 feet of Lot 9 of Block 813 of Campus Tract as per map filed October 11, 1937 in Volume 11, Page 37, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1002-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-55

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. (1513 W. Orangeburg Avenue, Lot 11 of Block 6079 - Larry R. Lee - $143.00)

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 February 22, 1972, adopt its Resolution No. 72-192, 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, January 15, 1973, at 4:10 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 $143.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $143.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 of Block 6079 of Wilen-Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-0818-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-56

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. (715 Hackberry Ave., a portion of Block 717A - James Lillie - $151.60)

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, January 15, 1973, at 4:10 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 $151.60.

SECTION 2. That the cost of the aforesaid work, being the amount of $151.60, be assessed in 3 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 42, 43 and the East 10 feet of the South 50 feet of Block 717-A of Tidewater Tract as per map filed February 9, 1914 in Volume 8 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 113-0935-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-57

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. (1540 College Avenue, Lot 18 of Block 6121 - Bill W. Love - $150.00)

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 27, 1972, adopt its Resolution No. 72-444, 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, January 15, 1973, at 4:10 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 $150.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $150.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 18 of Block 6121 of Roosevelt Center as per map filed September 8, 1950 in Volume 17 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 118-0603-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 19 73, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-58

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. (Along Kearney Avenue at 1428 Del Vista Avenue, Lot 8 of Block 917 - Kenneth Madderra - $402.00)

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 8, 1972, adopt its Resolution No. 72-629, 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, January 15, 1973, at 4:10 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 $402.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $402.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 of Block 917 of College Gardens as per map filed May 27, 1946 in Volume 14 of Maps, Page 58, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 115-0801-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-59

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. (Along College Avenue at 1025 Pearl Street, Lot 11 of Block 6121 - Donald E. Nelson - $124.80)

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 March 27, 1972, adopt its Resolution No. 72-451, 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, January 15, 1973, at 4:10 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 $124.80.

SECTION 2. That the cost of the aforesaid work, being the amount of $124.80, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 of Block 6121 of College Avenue Tract as per map filed November 9, 1936 in Volume 11 of Maps, Page 34, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 118-0610-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 19 73, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-60

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. (1536 Glenwood Drive, Lot 24 of Block 6112 - Leo F. Nowak - $123.00)

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 June 5, 1972, adopt its Resolution No. 72-725, 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, January 15, 1973, at 4:10 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 $123.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $123.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 24 of Block 6112 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-1005-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-61

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. (Along College Avenue and Princeton Avenue at 1106 Princeton Avenue, Lot 7 of Block 808 - Florence H. Peters - $385.20)

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, January 15, 1973, at 4:10 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 $385.20.

SECTION 2. That the cost of the aforesaid work, being the amount of $385.20, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 808 of Campus Tract No. 2 as per map filed December 7, 1950 in Volume 17 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0815-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-62

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. (Along Tully Road at 1317 Greenwood Drive, Lot 12 of Block 6027 - Aurelia P. Pigeon - $300.50)

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 2, 1972, adopt its Resolution No. 72-595, 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, January 15, 1973, at 4:10 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 $300.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $300.50, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 of Block 6027 of College Center as per map filed May 29, 1952 in Volume 17 of Maps, Page 36, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-2157-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-63

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. (1413 Del Vista Avenue, Lot 13 of Block 918 - David Ramczyk, Sr. - $224.00)

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, January 15, 19 73, at 4:10 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 $224.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $224.00, be assessed in 4 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 of Block 918 of College Gardens as per map filed May 27, 1946 in Volume 14 of Maps, Page 58, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 115-0720-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 19 73, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-64

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. (921 College Avenue, a portion of Block 824 - Marion L. Randall - $269.50)

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 27, 19 72, adopt its Resolution No. 72-427, 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, January 15, 19 73, at 4:10 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 $269.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $269.50, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 and the South 16 feet of Lot 6 of Block 824 of Campus Tract No. 2 as per map filed December 7, 1950 in Volume 17 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0511-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 19 73, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-65

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. (1504 Glenwood Drive, Lot 16 of Block 6112 - Joseph R. Randy - $123.00)

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 June 5, 1972, adopt its Resolution No. 72-725, 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, January 15, 1973, at 4:10 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 $123.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $123.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 16 of Block 6112 of Wilen Tract as per map filed April 27, 1945 In Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-1012-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 19 73, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-66

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. (Along W. Granger Ave. at 1550 Ardmore Ave., Lot 20 of Block 6122 - Darrell Reid - $360.00)

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 25, 19 72, adopt its Resolution No. 72-568, 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, January 15, 1973, at 4:10 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 $360.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $360.00, be assessed in 7 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 20 of Block 6122 of Roosevelt Center as per map filed September 8, 1950 in Volume 17 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 118-0620-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-67

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. (Along College Avenue at 1030 Stanford Avenue, Lot 10 of Block 820 - Robert W. Rolfe - $367.00)

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 27, 1972, adopt its Resolution No. 72-429, 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, January 15, 1973, at 4:10 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 $367.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $367.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 of Block 820 of Campus Tract as per map filed October 11, 1937 in Volume 11 of Maps, Page 37, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-0903-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-68

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. (1430 Tully Road, a portion of Block 6074 - Walter H. Sanford - $342.50)

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 2, 1972, adopt its Resolution No. 72-595, 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, January 15, 1973, at 4:10 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 $342.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $342.50, be assessed in 7 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 112 feet of the South 431.35 feet of the East 105 feet of the West 150 feet of the Northwest ¼ of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 118-1102-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-69

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. (Along Myron Avenue and Virginia Avenue at 616 Virginia Avenue, a portion of Block 916 - Kathryne V. Smith - $476.20)

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, January 15, 1973, at 4:10 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 $476.20.

SECTION 2. That the cost of the aforesaid work, being the amount of $476.20, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 63 feet of Lots 13, 14 and 15 and of the West ½ of Lot 16 of Block 716 of City of Modesto per map filed December 21, 1942 in Volume 15 of Maps, Page 716, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 113-0946-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-70

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. (Along Kearney Avenue and Princeton Avenue at 1437 Princeton Avenue, Lot 1 of Block 913 - Charles B. Toledo - $461.50

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 8, 1972, adopt its Resolution No. 72-629, 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, January 15, 1973, at 4:10 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 $461.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $461.50, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 913 of Campus Tract No. 5 as per map filed March 20, 1953 in Volume 17 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 115-0869-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-71

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. (Along Carver Road at 1533 Carver Road, Lot 1 of Block 6108 - L. R. Van Horn, Jr. - $356.50)

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 June 5, 1972, adopt its Resolution No. 72-725, 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, January 15, 1973, at 4:10 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 $356.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $356.50, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 6108 of Dunham Tract as per map filed December 26, 1946 in Volume 16 of Maps, Page 15, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-09 029-017-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 19 73, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-72

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. (1540 Glenwood Drive, Lot 25 of Block 6112 - John F. Webber - $123.00)

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, January 15, 1973, at 4:10 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 $123.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $123.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 25 of Block 6112 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-1004-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-73

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. (Along Glenwood Drive at 1516 Del Vale Avenue, Lot 28 of Block 6112 - Donald A. Wells - $150.00)

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 June 5, 19 72, adopt its Resolution No. 72-725, 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, January 15, 19 73, at 4:10 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 $150.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $150.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 28 of Block 6112 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-1001-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-74

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. (Along W. Granger Ave. at 1549 Ardmore Ave., Lot 11 of Block 6121 - Lee Wetter - $545.50)

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, January 15, 1973, at 4:10 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 $545.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $545.50, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 of Block 6121 of Roosevelt Center as per map filed September 8, 1950 in Volume 17 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 118-0619-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-75

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. (1439 Kearney Avenue, a portion of Block 6080 - Teresa Wilen - $167.50)

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 8, 1972, adopt its Resolution No. 72-629, 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, January 15, 1973, at 4:10 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 $167.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $167.50, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 50 feet of Lot 15 of Block 6080 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-0914-004)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-76

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. (1520 Glenwood Drive, Lot 20 of Block 6112 - Billy Willis - $104.00)

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 June 5, 1972, adopt its Resolution No. 72-725, 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, January 15, 1973, at 4:10 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 $104.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $104.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 20 of Block 6112 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-1009-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 prodedure 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-77

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. (1604 Tully Road, Lot 14 of Block 6142 - Alma E. Woodman - $490.00)

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 2, 1972, adopt its Resolution No. 72-595, 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, January 15, 1973, at 4:10 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 $490.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $490.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 14 of Block 6142 of Woodman Tract as per map filed October 18, 1946 in Volume 16 of Maps, Page 6, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 118-0142-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-78

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. (1608 Tully Road, Lot 15 of Block 6142 - Alma E. Woodman - $490.00)

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 2, 1972, adopt its Resolution No. 72-595, 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, January 15, 1973, at 4:10 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 $490.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $490.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 15 of Block 6142 of Woodman Tract as per map filed October 18, 1946 in Volume 16 of Maps, Page 6, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 118-0143-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 prodedure 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 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-79

A RESOLUTION GRANTING THE APPEAL TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT PROHIBITING ILLUMINATION OF A FREESTANDING SIGN AND MODIFYING THE CONDITIONAL USE PERMIT GRANTED TO McHENRY VILLAGE INVESTMENT COMPANY ON THE SOUTH SIDE OF BRIGGSMORE AVENUE EAST OF McHENRY AVENUE.

WHEREAS, on November 24, 1972, the Board of Zoning Adjustment, by Resolution No. 461, granted a conditional use permit to McHenry Village Investment Company for a freestanding shopping center identification sign on the south side of Briggsmore Avenue east of McHenry Avenue, subject to the following conditions:

1. That all development be in accordance with the plot plan and elevations stamped approved by the Board of Zoning Adjustment and dated November 24, 1972, and on file in the office of the Director of Planning.

2. That the ban on additional freestanding and projecting signs at McHenry Village, as a consequence of the granting of this freestanding shopping center identification sign shall apply to all uses on properties as shown on the attached drawing titled, "McHenry Village, Area of Sign Limitations", dated November 24, 1972.

3. That no illumination be permitted for such sign, either internally or by an external means.

4. That the sign be well maintained.

5. That the conditional use permit shall be null and void if not exercised on or before November 24, 1973,

and

WHEREAS, on November 29, 1972, Sign Designs, Inc., on behalf of the McHenry Village Investment Company filed an appeal with the City Council to the restriction imposed by the Board of Zoning Adjustment decision prohibiting illumination of said freestanding shopping center identification sign, and

WHEREAS, by Resolution No. 72-1212, adopted December 4, 1972, the Council set January 8, 1973, at 7:35 o'clock P. M. in the Council Chambers at 801 11th Street, Modesto, California, as the time and place for public hearing on the appeal, and

WHEREAS, said public hearing was held on the above-mentioned date and was continued to January 15, 1973, and

WHEREAS, on January 15, 1973, said public hearing was closed, and upon the evidence, both oral and documentary taken and introduced at said hearing, the Council finds and determines that the decision of the Board of Zoning Adjustment prohibiting illumination of a freestanding sign on the south side of Briggsmore Avenue east of McHenry Avenue should be overruled and the conditional

use permit granted by the Board of Zoning Adjustment by its Resolution No. 461 on November 24, 1972, be modified for the following reasons:

1. Evening identification of McHenry Village and the entrances thereto from Briggsmore Avenue by an illuminated sign is reasonable.

2. The sign is at right angles to Briggsmore Avenue and does not face the rear yards of residential property on Norwegian Avenue and consequently the illumination of the sign will not appreciably increase the amount of light transmitted into said yards and will not produce any direct glare into said yards.

3. The use permit will be conditioned upon existing and future lights in this area of McHenry Village being so directed and shielded, if necessary, so as to reduce the amount of light being transmitted into the rear yards of residential property on Norwegian Avenue from said lights and to reduce the direct glare from said lights into said yards.

4. The use permit will be conditioned upon the lighting of the sign being turned off no later than 10 P. M. every day.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that for the reasons hereinabove set forth, it grants the appeal to the decision of the Board of Zoning Adjustment prohibiting illumination of a freestanding shopping center identification sign on the south side of Briggsmore Avenue east of McHenry Avenue.

BE IT FURTHER RESOLVED by the City Council that the conditional use permit granted to McHenry Village Investment Company by the Board of Zoning Adjustment Resolution No. 461 be modified to allow a freestanding shopping center identification sign on the south side of Briggsmore Avenue east of McHenry Avenue subject to the following conditions:

1. That all development be in accordance with the plot plan and elevations stamped approved by the Board of Zoning Adjustment and dated November 24, 1972, and on file in the office of the Director of Planning.

2. That the ban on additional freestanding and projecting signs at McHenry Village, as a consequence of the granting of this freestanding shopping center identification sign shall apply to all uses on properties as shown on the attached drawing titled "McHenry Village, Area of Sign Limitations", dated November 24, 1972.

3. That the sign may be illuminated if all of the following requirements are met:

   (a) That all illumination of the sign itself be by indirect lighting.

   (b) That the lighting in the sign be no greater than set forth in the letter dated January 10, 1973, from John W. Oneto, Jr. registered professional electrical engineer, to Mr. Robert Sobel, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof.

(c) That any lights installed on the outside of the sign to light the adjacent parking and driveway areas, and any future lights installed on the north side of the buildings on the north side of McHenry Village or located elsewhere in this area of McHenry Village, shall be so directed and shielded, if necessary, to prevent said lights from producing any glare beyond the property line of McHenry Village. All such lights shall be installed and maintained in a manner satisfactory to the City Engineer.

(d) That prior to issuance of a building permit the existing lights on the north side of the buildings on the north side of McHenry Village and the existing Modesto Irrigation District dusk-to-dawn lights located in this area of McHenry Village, all of which lights are used to illuminate the sides of the buildings and the adjacent parking and driveway areas shall be redirected and shielded, if necessary, to prevent said lights from producing any glare beyond the property line of McHenry Village. All such existing lights shall be redirected, shielded if necessary, and maintained in a manner satisfactory to the City Engineer.

(e) That the lighting of the sign be turned off no later than 10 P. M. each day and not turned on again until after sunrise of the following day. The sign shall include an automatic time clock which shall be set to turn the lighting on and off as required herein.

4. That the sign be well maintained.

5. That the conditional use permit shall be null and void if not exercised on or before November 24, 1973.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

1520 East Miner Avenue • Stockton, California 95205

January 10, 1973

Mr. Robert Sobel
1700 McHenry Avenue
Suite 54A
Modesto, Calif. 95350

Dear Mr. Sobel:

The following is the information you requested concerning the sign you are proposing to install at McHenry Village.

The information given me by Mr. Douglas L. Smith of Sign Designs is as follows:

1. 15 - 800MA lamps will be used
2. Total wattage = 110W./fix. x 15 fix. = 1650 watts
3. Total lumens interior = 9200 lumens/lamp x 15 lamps = 138,000 lumens
4. Total lumens emitted each side = 15,215 lumens

If you have any questions concerning the above information, do not hesitate to contact me.

Very truly yours,

ONETO & PUHL ENGINEERING

John V. Oneto, Jr.

JVO:co

cc: Douglas L. Smith
Sign Designs Inc.
P. O. Box 4590
Modesto, Calif. 95352



Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 73-80

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOSEPH C. DELL FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 921 HOUSER LANE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Joseph C. Dell for sewer service to property outside the City at 921 Houser Lane 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 January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-81

A RESOLUTION REQUESTING AUTHORIZATION FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA FOR A CONVERSION OF CERTAIN OPEN SPACE LANDS BY AN EXCHANGE OF PROPERTIES--RIVERSIDE PARK (CAL-OSA-59)

WHEREAS, on April 14, 1967 the City of Modesto received certain open space funds from an agency of the United States Government which were used by the City of Modesto for the purchase of a portion of a park site in the City of Modesto known as the Riverside Park, and

WHEREAS, by reason of a change of conditions occurring during development of Riverside Park an exchange of certain parcels of property with an adjoining landowner will facilitate and improve development of said park, and

WHEREAS, the land area of the parcels to be added to said park is larger than the land area of the parcels to be removed from said park, and

WHEREAS, the parcels to be added to said park are free of any encumbrances that would prevent the land from being permanently retained and utilized for open space purposes,

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

1. Request is hereby made for authorization to make the following additions to and deletions from the Riverside Park:

(a) Parcel A (legal description attached), consisting of 6715.323 square feet, originally intended for inclusion in the park will be retained in City ownership but will be used for public street purposes rather than park purposes.

(b) Parcel B (legal description attached), consisting of 732.63 square feet, presently owned by an adjoining land owner will be deeded to the City and will become a part of the park and be used for open space purposes.

(c) Parcel C (legal description attached), consisting of 803.31 square feet, originally intended for inclusion in the park will be removed from the park and deeded to an adjoining landowner.

(d) Parcel D (legal description attached), consisting of 8633.47 square feet, which was acquired by the City for use as a public street and which was not acquired with open space funds will become a part of the park and be used for open space purposes.

2. The map entitled "City of Modesto Park Map" which is attached as Exhibit "D" is hereby approved as a map of the proposed additions to and deletions from the Riverside Park.

3. The proposed exchange of properties, if authorized, will increase the area of open space in the Riverside Park by 1847.467 square feet in that Parcels B and D being added to the park total 9366.10 square feet and Parcels A and C being deleted from the park total only 7518.633 square feet.

4. As appears in the opinion of the City Attorney of the City of Modesto which is attached as Exhibit "E", the parcels of land to be added to the park will, when added to the park, be free of any encumbrances that would prevent such parcels from being permanently retained and utilized for open space purposes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

December 8, 1972

PARCEL A

All that portion of the Southeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Parcel 1, as per map filed May 16, 1966 in Volume 1 of Parcel Maps, Page 134, Stanislaus County Records, described as follows:

Commencing at the Southwestern corner of said Parcel 1, said point being the Northwestern corner of GRANADA PARK NO. 1 Subdivision, as per map filed October 30, 1970, in Volume 22 of Maps, Page 67, Stanislaus County Records, said point also being on the Eastern line of a public road known as North Riverside Drive; thence along the Western line of Parcel 1 and said Eastern line of North Riverside Drive, North 00° 33' 30" West, 17.02 feet, to the true point of beginning of this description; thence continuing North 00° 33' 30" West, 35.00 feet, to a point on a line which is parallel with and 35.00 feet, measured at right angles, Northerly from the Southern line and its Westerly extension of a public road known as El Pasado Drive as shown on said map of Granada Park No. 1 Subdivision; thence along said parallel line, North 89° 26' 30" East, 267.27 feet; thence along a tangent curve concave to the North, having a Radius of 238.00 feet, a Central Angle of 10° 13' 09" and an Arc Length of 42.45 feet, to its tangency on the Southeastern line of Parcel 1 and the Northwestern line of Granada Park No. 1 Subdivision; thence along said Southeastern line of Parcel 1 and Northwestern line of Granada Park No. 1 Subdivision, South 79° 13' 21" West, 218.56 feet, to its intersection with said Southern line of El Pasado Drive; thence along the Westerly extension of the Southern line of El Pasado Drive, South 89° 26' 30" West, 94.40 feet, to the point of beginning, containing 6715.323 Square Feet, more or less.

December 8, 1972

PARCEL B

All that portion of the Southeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Southeastern corner of Parcel 1, as per map filed May 16, 1966, in Volume 1 of Parcel Maps, Page 134, Stanislaus County Records, said point being on the Eastern line of the West one-half of the West one-half of the East one-half of said Southeast quarter of Section 26; thence along said Eastern line, South 00° 32' 50" East, 16.08 feet, to the Northeastern corner of GRANADA PARK NO. 3 Subdivision, as per map filed August 18, 1972, in Volume 23 of Maps, Page 95, Stanislaus County Records; thence along a Northern line of said Granada Park No. 3 Subdivision, South 89° 27' 10" West, 65.66 feet; thence continuing along the Northern boundary of Granada Park No. 3 Subdivision on a tangent curve concave to the South, having a Radius of 262.00 feet, a Central Angle of 10° 13' 49" and an Arc Length of 46.78 feet, to its point of tangency on the Southeastern line of said Parcel 1; thence along said Southeastern line, North 79° 13' 21" East, 114.00 feet, to the point of beginning, containing 732.63 Square Feet, more or less.

December 8, 1972

PARCEL C

All that portion of the Southeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Parcel 1, as per map filed May 16, 1966, in Volume 1 of Parcel Maps, Page 134, Stanislaus County Records, described as follows:

Beginning at the Southwestern corner of said Parcel 1, said point being the Northwestern corner of GRANADA PARK NO. 1 Subdivision, as per map filed October 30, 1970, in Volume 22 of Maps, Page 67, Stanislaus County Records; thence along the Southeastern line of Parcel 1 and the Northwestern line of said Granada Park No. 1 Subdivision, North 79° 13' 21" East, 95.93 feet, to its intersection with the Southern line of a public road known as El Pasado Drive; thence along the Westerly prolongation of said Southern line of El Pasado Drive, South 89° 26' 30" West, 94.40 feet, to a point on the Eastern line of a public road known as North Riverside Drive; thence along said Eastern line of North Riverside Drive, South 00° 33' 30" East, 17.02 feet, to the point of beginning, containing 803.31 Square Feet, more or less.

December 8, 1972

PARCEL D

All that portion of the Southeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Parcel 1, as per map filed May 16, 1966, in Volume 1 of Parcel Maps, Page 134, Stanislaus County Records, described as follows:

Beginning at the Northwestern corner of said Parcel 1, said point being on the Southern line of the 75.00 foot Modesto Irrigation District Lateral No. 2 Right of Way; thence along a Northern line of Parcel 1 and said Southern line, South 89° 57' 33" East, 214.90 feet, to a point on a non-tangent curve from which point a radial line bears North 30° 38' 41" West; thence along said non-tangent curve concave to the Northwest, having a Radius of 428.66 feet, a Central Angle of 30° 05' 11" and an Arc Length of 225.09 feet, to a point on the Western line of Parcel 1 from which point a radial line bears North 00° 33' 30" West; thence along said Western line of Parcel 1, said line also being the Eastern line of a public road known as North Riverside Drive, North 00° 33' 30" West, 60.00 feet, to the point of beginning, containing 8633.47 Square Feet, more or less.



CITY OF MODESTO
CALIFORNIA

City Hall, 801 Eleventh
P. O. Box 642, 95353
(209) 524-4011

OFFICE OF CITY ATTORNEY

January 15, 1973

Department of Housing and Urban Development
San Francisco Area Office
One Embarcadero Center, Suite 1600
San Francisco, California 94111

Re: Authorization for Conversion of Open Space Lands by
Exchange of Properties - Riverside Park (CAL-OSA-59)

Gentlemen:

I am an attorney at law, licensed to practice in the State of California, and I am counsel for the City of Modesto.

I am familiar with the proposal for an exchange of certain parcels of property comprising a portion of Riverside Park with an adjoining landowner.

I have reviewed the title to Parcels B and D (legal description attached) and I am of the opinion that said Parcels B and D will, when added to Riverside Park, be free of any encumbrances that would prevent such parcels from being permanently retained and utilized for open space purposes.

/s/ ELWYN L. JOHNSON
ELWYN L. JOHNSON, City Attorney

ELJ/p
Attachs.

COPY

Exhibit "E"

PARCEL B

All that portion of the Southeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Southeastern corner of Parcel 1, as per map filed May 16, 1966, in Volume 1 of Parcel Maps, Page 134, Stanislaus County Records, said point being on the Eastern line of the West one-half of the West one-half of the East one-half of said Southeast quarter of Section 26; thence along said Eastern line, South 00° 32' 50" East, 16.08 feet, to the Northeastern corner of GRANADA PARK NO. 3 Subdivision, as per map filed August 18, 1972, in Volume 23 of Maps, Page 95, Stanislaus County Records; thence along a Northern line of said Granada Park No. 3 Subdivision, South 89° 27' 10" West, 65.66 feet; thence continuing along the Northern boundary of Granada Park No. 3 Subdivision on a tangent curve concave to the South, having a Radius of 262.00 feet, a Central Angle of 10° 13' 49" and an Arc Length of 46.78 feet, to its point of tangency on the Southeastern line of said Parcel 1; thence along said Southeastern line, North 79° 13' 21" East, 114.00 feet, to the point of beginning, containing 732.63 Square Feet, more or less.

December 8, 1972

PARCEL D

All that portion of the Southeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Parcel 1, as per map filed May 16, 1966, in Volume 1 of Parcel Maps, Page 134, Stanislaus County Records, described as follows:

Beginning at the Northwestern corner of said Parcel 1, said point being on the Southern line of the 75.00 foot Modesto Irrigation District Lateral No. 2 Right of Way; thence along a Northern line of Parcel 1 and said Southern line, South 89° 57' 33" East, 214.90 feet, to a point on a non-tangent curve from which point a radial line bears North 30° 38' 41" West; thence along said non-tangent curve concave to the Northwest, having a Radius of 428.66 feet, a Central Angle of 30° 05' 11" and an Arc Length of 225.09 feet, to a point on the Western line of Parcel 1 from which point a radial line bears North 00° 33' 30" West; thence along said Western line of Parcel 1, said line also being the Eastern line of a public road known as North Riverside Drive, North 00° 33' 30" West, 60.00 feet, to the point of beginning, containing 8633.47 Square Feet, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-82

A RESOLUTION APPROVING THE FINAL MAP OF THE DRAGOO PARK NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Tully Manor Enterprises, a partnership,

is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 13.274 acres, known as the Dragoo Park No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 20th day of July, 1971, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Dragoo Park 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 of the Dragoo Park No. 2 Subdivision 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 in the amount of One Thousand, Fifty and 20/100ths ($1,050.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-83
INFORMAL

A RESOLUTION SETTING TIME AND PLACE FOR/HEARING REQUEST BY GOULD MEDICAL GROUP TO CLOSE ALLEY ADJACENT TO THEIR FACILITIES BETWEEN 8:00 A.M. AND 5:00 P.M. MONDAY THROUGH FRIDAY DURING THEIR CURRENT CONSTRUCTION PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 22, 1973, at 7:50 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request by Gould Medical Group to close alley adjacent to their facilities between 8:00 A.M. and 5:00 P.M., Monday through Friday during their current construction program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-84

A RESOLUTION APPROVING THE FINAL MAP OF THE EASTRIDGE NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Paul M. Zagaris and Liberty Zagaris, husband and wife,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 13.99 acres, known as the Eastridge No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 15th day of February, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Eastridge 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 of the Eastridge No. 2 Subdivision 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 in the amount of Three Thousand, Seventy-one and 20/100ths ($3,071.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 85

A RESOLUTION AUTHORIZING RIGHT OF WAY CERTIFICATE FOR "G" STREET FROM 1ST STREET TO 16TH STREET, PROJECT FAU-M-6016 (002).

WHEREAS, it is necessary for the City of Modesto to make a certification to the State of California in connection with the right of way for "G" Street from 1st Street to 16th Street, Project FAU-M-6016 (002), and

WHEREAS, it is necessary for the City of Modesto to agree to hold the State of California harmless from any liability which may result in the event the right of way is not cleared as certified.

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 right of way acquisition for "G" Street from 1st Street to 16th Street, Project FAU-M-6016 (002). Said Right of Way Certificate shall also include the following paragraph:

> "The City of Modesto agrees to hold the State of California harmless from any liability which may result in the event the right of way is not clear as certified. If the State is named in a damage suit, as a result of the right of way not being clear as certified, the City of Modesto agrees that, at the request of the State, it will assume full responsibility for the conduct of the defense or provide such assistance as the State may require and will pay any judgments issued against the State and all costs in connection with the defense."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-86

EXTENSION OF
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIS KLEINENBROICH, DBA MODESTO MOTOR BUS SERVICE, FOR/BUS SERVICE
PASSENGER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the extension of/agreement between the City of Modesto and Willis Kleinenbroich, dba Modesto Motor Bus Service for passenger bus service (for calendar year 1973 with a 30-day cancellation clause available to either party) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said extension of/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 January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-87

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST BY VALLEY CONSTRUCTION CO. TO MAINTAIN AN EXISTING FENCE ENCROACHMENT WITHIN THE PUBLIC RIGHT OF WAY FOR A PERIOD OF SIX MONTHS OR UNTIL MODEL HOMES LOCATED ON ROSE AVENUE ARE SOLD, WHICHEVER OCCURS FIRST

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 22, 1973 , at 7:55 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request by Valley Construction Co. to maintain an existing fence encroachment within the public right of way for a period of six months or until model homes located on Rose Avenue are sold, whichever occurs first.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January , 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-88

A RESOLUTION APPROVING COOPERATIVE AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR THE RECONSTRUCTION OF CARPENTER ROAD FROM PARADISE ROAD TO MAZE BOULEVARD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the cooperative agreement between the City of Modesto and County of Stanislaus for the reconstruction of Carpenter Road from Paradise Road to Maze Boulevard be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said cooperative 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 January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-89

A RESOLUTION ACCEPTING IMPROVEMENTS IN COFFEE PLAZA NO. 5 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS AND ACCEPTING $6,000 BOND FOR STREET REPAIR GUARANTEE

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger, husband and wife, individuals, subdividers of Coffee Plaza No. 5 Subdivision, have filed subdivision improvement bonds for faithful performance in the amount of $293,600 and labor and materials for $146,800 to guarantee improvements in Coffee Plaza No. 5 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated January 3, 1973 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 a notice of completion and release the bonds upon expiration of the statutory periods, subject to the developers posting a $6,000 bond with the City Clerk to guarantee repair of Chapala Way, San Carlos Lane, San Miguel Lane, and San Felipe Way in Coffee Plaza No. 5 Subdivision, if failure occurs to these streets prior to September 1, 1973; and

WHEREAS, the developers have posted the required bond for $6,000, on file in the office of the City Clerk.

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

1. The improvements of Coffee Plaza No. 5 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $293,600 upon recordation of the notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in the amount of $146,800 upon expiration of the statutory period. (six months)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1973 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-90

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THOMAS QUINN FOR RIGHT OF WAY ACQUISITION SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Thomas Quinn

for right of way acquisition services (at the rate of $40.00 per day)
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 January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-91

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $10,000 IN THE AIRPORT FUND

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

AIRPORT FUND (230)

FROM:	Addition to Hangar #3 (6523-46-230)	$10,000
TO:	General Reserve (60-46-230)	$10,000

(Tenant of Hangar No. 3 has requested that we not proceed with the project at this time)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-92

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,500 IN THE AIRPORT FUND

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

AIRPORT FUND (230)

FROM:	General Reserve (60-46-230)	$1,500
TO:	Doors Hangar No. 1 (5201-46-230)	$ 500
	ILS Grading Site Acq. (6489-46-230)	$1,000

(Low bid by Valley Asbestos Company to do the work was $477.00 over amount budgeted for work.
Additional funds are needed to cover costs for survey work and access road grading to the Middle Marker Site which were not allowed for inbudget)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-93

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FIRST CHURCH OF THE NAZARENE FOR ACQUISITION OF PROPERTY ADJACENT TO FORMER LINCOLN SCHOOL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and First Church of the Nazarene

for acquisition of property adjacent to the former Lincoln School site for the sum of $83,000

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 January 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith

NOES: Councilmen: Mayor Davies

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-94

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $85,000 TO PROVIDE FUNDS NEEDED TO PURCHASE THE NAZARENE CHURCH PROPERTY

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	Contingency Reserve for Community Center (61-321)	$85,000
TO:	Land Acquisition/Community Center (6406-31-321)	$85,000

(To provide money to purchase the Nazarene Church property contiguous to the present Community Center site.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith

NOES: Councilmen: Mayor Davies

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-95

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF DR. SOELLING TO APPEAL THE PLANNING COMMISSION'S DECISION FOR PREZONING THE SOUTHWEST CORNER OF OLD OAKDALE AND BRIGGSMORE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that February 12, 1973 , at 7:40 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Dr. Soelling to appeal the Planning Commission's decision for prezoning the southwest corner of Old Oakdale and Briggsmore.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January , 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-96

A RESOLUTION ACCEPTING THE BID OF UNITED STATES PIPE AND FOUNDRY CO. FOR FURNISHING WATER PIPE FOR A ONE-YEAR TERM COMMENCING FEBRUARY 1, 1973

WHEREAS, Resolution No. 72-1261 , adopted by the Council of the City of Modesto on December 18, 1972 , approved the plans and specifications for the furnishing of water pipe for a one-year term commencing February 1, 1973
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of water pipe for a one-year term commencing February 1, 1973
were opened at 2:00 P.M. on January 9, 1973 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 United States Pipe and Foundry Co. at $1.65/ft. for 4" pipe and $2.21/ft. for 6" pipe
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of United States Pipe and Foundry Co. at $1.65/ft. for 4" pipe and $2.21/ft. for 6" pipe
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 January, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-97

A RESOLUTION ACCEPTING THE BID OF VOSS INTERNATIONAL CORP. FOR FURNISHING WATER PIPE FOR A ONE-YEAR TERM COMMENCING FEBRUARY 1, 1973

WHEREAS, Resolution No. 72-1261 , adopted by the Council of the City of Modesto on December 18, 1972 , approved the plans and specifications for the furnishing of water pipe for a one-year term commencing February 1, 1973
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of water pipe for a one-year term commencing February 1, 1973
were opened at 2:00 P.M. on January 9, 1973 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 Voss International Corp. for asbestos cement pipe; 4" at $.93/ft; 6" at $1.24/ft; 8" at $1.93/ft; 10" at $2.70/ft and 12" at $3.68/ft. be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Voss International Corp. for asbestos cement pipe; 4" at $.93/ft; 6" at $1.24/ft; 8" at $1.93/ft; 10" at $2.70/ft and 12" at $3.68/ft. 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 January, 19 73 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-98

A RESOLUTION ACCEPTING THE BID OF WESTERN PLUMBING SUPPLY CO. FOR FURNISHING FIRE HYDRANTS AND ALLIED MATERIAL FOR A ONE-YEAR TERM COMMENCING FEBRUARY 1, 1973

WHEREAS, Resolution No. 72-1299 , adopted by the Council of the City of Modesto on December 26, 1972 , approved the plans and specifications for the furnishing of fire hydrants and allied material for a one-year term commencing February 1, 1973 and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of fire hydrants and allied material for a one-hear term commencing February 1, 1973 were opened at 2:00 P.M. on January 16, 1973 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 Plumbing Supply Co.

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 Plumbing Supply Co.

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 January, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-99

A RESOLUTION GRANTING A TEMPORARY ENCROACHMENT PERMIT TO VALLEY CONSTRUCTION CO. FOR 42"-HIGH FENCE ON ROSE AVENUE ALONG THE FRONTAGE OF THE MODEL HOMES OF COFFEE PLAZA NO. 6 SUBDIVISION

WHEREAS, Valley Construction Co. has filed a request with the Council of the City of Modesto for permission to allow a 42"-high fence to remain in the public right of way adjacent to an existing 5' sidewalk on Rose Avenue, along the frontage of the model homes of Coffee Plaza No. 6 Subdivision; and

WHEREAS, January 22, 1973, at 7:55 P.M. was set as the time and place for consideration of the request; and

WHEREAS, the 42"-high fence was constructed within the public right of way without benefit of an encroachment permit; and

WHEREAS, the Director of Public Works in a memorandum dated January 18, 1973, 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 as follows:

SECTION 1. A temporary encroachment permit, revocable upon demand of the City of Modesto, is hereby granted to said applicant to allow a 42"-high fence to remain in the public right of way on Rose Avenue along the frontage of the model homes of Coffee Plaza No. 6 Subdivision.

SECTION 2. Said revocable encroachment permit is granted subject to the conditions set forth herein, which condition permittee agrees, by acceptance of this permit, to faithfully perform:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee shall file a copy of policy or certificate of insurance with the City Clerk as required by Section 7-1.109 of the Municipal Code for all encorachments in the public right of way.

(c) Permittee shall remove the fence from the public right of way by July 31, 1973.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shal have ten (10) days from and after the adoption of this resolution within which to file written acceptance of this permit 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 22nd day of January, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-100

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALVIN W. AND ESTHER KAY BELL FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1601 COUCHMAN LANE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Alvin W. and Esther Kay Bell for sewer service to property outside the City at 1601 Couchman Lane

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 January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-101

A RESOLUTION APPROVING THE FINAL MAP OF THE CAPISTRANO PARK NO. I SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Allen Grant, Inc.

is
~~are~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 5.029 acres, known as the Capistrano Park No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 19th day of December, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Capistrano Park No. 1 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 of the Capistrano Park No. 1 Subdivision 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 in the amount of Four Hundred Ninety-Four and 70/100ths ($494.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 22nd day of January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-102

A RESOLUTION ACCEPTING IMPROVEMENTS IN COFFEE PLAZA NO. 6 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger, husband and wife, and Harley D. Brannan and Norma Brannan, husband and wife, individuals, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $73,900 and $36,950 respectively to guarantee improvements in Coffee Plaza No. 6 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated January 18, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Coffee Plaza No. 6 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $73,900 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $36,950 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 22nd day of January, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-103

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS STATE COLLEGE FOUNDATION TO PERMIT CITY OF MODESTO TO USE TWO STUDENTS FROM STANISLAUS STATE COLLEGE UNDER THE FEDERALLY FUNDED INTERGOVERNMENTAL PERSONNEL ACT OF 1970

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus State College Foundation

~~for~~ to permit City of Modesto to use two students from Stanislaus State College under the federally funded Intergovernmental Personnel Act of 1970
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 January, 19 73 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-104

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND SYLVAN IMPROVEMENT CLUB AND ACCEPTING GRANT DEED (McHenry Avenue)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Sylvan Improvement Club for the widening of McHenry Avenue is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-105

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. SANTA J. CATALINE AND ACCEPTING GRANT DEED (Needham Street Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mr. and Mrs. Santa J. Cataline for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-106

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF KINGSWOOD ESTATES NO. 2 AND 3 SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-5, adopted January 16, 1973, approved the tentative map of Kingswood Estates No. 2 and 3 Subdivision, and

WHEREAS, the approval by the Planning Commission of the tentative map of Kingswood Estates No. 2 and 3 Subdivision was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed Kingswood Estates No. 2 and 3 Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-107

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF PINE TREE VILLAGE SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-6, adopted January 16, 1973, approved the tentative map of Pine Tree Village Subdivision, and

WHEREAS, the approval by the Planning Commission of the tentative map of Pine Tree Village Subdivision was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed Pine Tree Village Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-108

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF SYLVAN MEADOWS SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-13, adopted January 16, 19 73, approved the tentative map of Sylvan Meadows Subdivision, and

WHEREAS, the approval by the Planning Commission of the tentative map of Sylvan Meadows Subdivision was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed Sylvan Meadows Subdivision ~~Subdivision~~, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 January, 19 73, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-109

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 8-3-9 OF THE ZONING MAP (Ernest Addimando)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 16, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 8-3-9 of the Zoning Map to rezone from One-Family Residential Zone, R-1, to Multiple-Family Residential Zone, R-3, property located on the south side of Standiford Avenue, West of McHenry Avenue
the following described property:

Beginning at a point 20 feet South of a point on the centerline of Standiford Avenue, North 89° 35' West 529.78 feet from the quarter corner between Sections 8 and 9 in Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 89° 35' West 253.90 feet; thence South 48' East 428.67 feet; thence South 89° 34' East 253.90 feet; thence North 0° 48' West 429.00 feet to the point of beginning.

Including also the southerly 20 feet of Standiford Avenue immediately adjacent to the above described property.

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-11 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 8-3-9 of the Zoning Map be set for February 12, 1973 at 7:45 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of Modesto, 19 73, by Councilmen Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-110

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 25-3-9 AND SECTION 26-3-9 OF THE ZONING MAP (Harold M. Duffy)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 16, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 25-3-9 and Section 26-3-9 of the Zoning Map to rezone from One-family Residential Zone, R-1, to Two-Family Residential, R-2, property located on the west side of Lincoln Avenue north of Poppypatch Drive
the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-12 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Sections 25-3-9 and 26-3-9 of the Zoning Map be set for February 12, 1973 at 7:50 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1973, by Councilmen Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

All that portion of the southeast quarter of Section 26 and the southwest quarter of Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the intersection of the east-west quarter section line of said Section 25 with the centerline of Lincoln Avenue, said point of commencement lies 20.00 feet easterly from the east quarter corner of said Section 26; thence South 0° 32' 27" East along said centerline of Lincoln Avenue, parallel with and 20.00 feet distant easterly at right angles from the east line of said Section 26 a distance of 10.00 feet to the point of beginning; thence continuing South 0° 32' 27" East parallel with and 20.00 feet distant easterly at right angles from said east line of Section 26 along said centerline of Lincoln Avenue a distance of 849.51 feet; thence North 89° 57' 33" West along the south line of Parcel A and its easterly prolongation thereof as shown on the map filed in Volume 12 of Parcel Maps at Page 70, Stanislaus County Records a distance of 250.00 feet; thence North 0° 32' 27" West parallel to said east line of Section 26 a distance of 849.51 feet to a point 10.00 feet south of the aforementioned east-west quarter section line of Section 26; thence South 89° 57' 33" East parallel to and 10.00 feet distant southerly at right angles from said east-west quarter section line a distance of 250.00 feet to the point of beginning.

Containing: 4.876 Acres Gross

EXHIBIT "A"

Section 25-3-9 and
Section 26-3-9
(Harold Duffy)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-111

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR EXPANSION OF FIRE STATION NO. 5

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

SECTION 1. The plans and specifications for expansion of Fire Station 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 February 13, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-112

A RESOLUTION DECLARING THURSDAY, JANUARY 25, 1973, A DAY OF MOURNING SET APART IN REVERENCE TO THE MEMORY OF FORMER PRESIDENT LYNDON B. JOHNSON.

WHEREAS, the President of the United States has declared Thursday, January 25, 1973, as an official day of mourning in reverence to the memory of former President Lyndon B. Johnson, and

WHEREAS, the Governor of the State of California has declared Thursday, January 25, 1973, a day of mourning set apart in reverence to the memory of former President Lyndon B. Johnson in accordance with Section 6700(n) of the Government Code of the State of California, and

WHEREAS, Section 6700(n) of the Government Code provides that a day appointed by the President or Governor for a public fast, thanksgiving or holiday shall not apply to a city unless made applicable by charter or by ordinance or resolution of the governing body thereof,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares Thursday, January 25, 1973, a day of mourning set apart in reverence to the memory of former President Lyndon B. Johnson, in accordance with Section 6700(n) of the Government Code of the State of California.

BE IT FURTHER RESOLVED that all City offices, except emergency services, will be closed on Thursday, January 25, 1973, in memory of former President Lyndon B. Johnson.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 24th day of January, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
BRUCE W. LIEDSTRAND, Assistant City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-113

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN DAISY PARK NO. 2 SUBDIVISION

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

SECTION 1. The plans and specifications for INSTALLATION of Waterlines in Daisy Park No. 2

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 20, 1973 at 10:05 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-113-A

EASEMENT
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT TO ALLOW FOR A WATERLINE CROSSING OF THEIR FACILITIES (Daisy PaRK No. 2 Subdivision)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the easement/agreement between the City of Modesto and Modesto Irrigation District ~~Bxxx~~ to allow for a waterline crossing of their facilities

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said easement/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 February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-114

A RESOLUTION ACCEPTING THE BID OF E. J. OPINSKI FOR CONSTRUCTION OF AN ARBOR IN MANCINI PARK

WHEREAS, Resolution No. 73-13 , adopted by the Council of the City of Modesto on January 8, 1973 , approved the plans and specifications for the construction of an arbor in Mancini Park

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of an arbor in Mancini Park

were opened at 10:00 A.M. on January 23, 1973 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 E. J. Opinski in the amount of $5,900

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of E. J. Opinski in the amount of $5,900

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 5th day of February, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-115

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CATCH BASINS AT VARIOUS LOCATIONS (Shield Construction Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Catch Basins at Various Locations has been completed by Shield Construction Co.

in accordance with the contract agreement dated November 6, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of Catch Basins at Various Locations be accepted from said contractor, Shield Construction Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $7,030.00 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meetingof the Council of the City of Modesto held on the 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-116

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SERVICE YARD EXPANSION IMPROVEMENTS AT ELM AND WASHINGTON STREETS IN THE CITY OF MODESTO

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

SECTION 1. The plans and specifications for Service Yard Expansion Improvements at Elm & Washington Streets in the City of Modesto 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 27, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-117

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF A SUBTRUNK SEWER ON DALE ROAD

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

SECTION 1. The plans and specifications for construction of a Subtrunk Sewer on Dale Road

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 20, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-118

A RESOLUTION GRANTING THE APPEAL OF SETLIFF BROTHERS TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT GRANTING A CONDITIONAL USE PERMIT IN THE C-2 ZONE.

WHEREAS, an application for a conditional use permit in the C-2 Zone to allow construction of a coin-operated car washing facility on the northwest corner of Yosemite Boulevard and Rosina Avenue, was filed with the Board of Zoning Adjustment by Setliff Brothers, on December 7, 1972, and

WHEREAS, a public hearing was held on said application by the Board of Zoning Adjustment on December 21, 1972, at which time by Resolution No. 467 it granted a Conditional Use Permit in the C-2 Zone to Setliff Brothers for construction of a coin-operated car washing facility on the northwest corner of Yosemite Boulevard and Rosina Avenue subject to the conditions set forth in said Board of Zoning Adjustment Resolution No. 467, a copy of which is attached hereto marked Exhibit "A", and

WHEREAS, Condition No. 6 of the Conditional Use Permit granted by said Board of Zoning Adjustment Resolution No. 467 provides that the applicant shall remove two (2) curb cuts, as indicated on the amended plan dated December 21, 1972, entitled "Six-Bay Car Wash for Setliff Brothers, Sheet No. 3" which is on file in the office of the Director of Planning, and

WHEREAS, on January 2, 1973, the applicant filed an appeal with the City Clerk to the decision of the Board of Zoning Adjustment providing that two (2) curb cuts be removed, as set forth in the above-mentioned Condition No. 6 of the Conditional Use Permit granted by Board of Zoning Adjustment Resolution No. 467, and requested a public hearing thereon before the City Council, and

WHEREAS, a public hearing was scheduled before the City Council in the Council Chambers, 801 11th Street, Modesto, California, for February 5, 1973, at 4:05 o'clock P. M. as provided in Section 10-2.2012 of the Modesto Municipal Code, and

WHEREAS, said public hearing was held at the above time and place, and evidence, both oral and documentary, was taken and introduced at said public hearing,

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

SECTION 1. The Council finds and determines that the appeal of Setliff Brothers to the decision of the Board of Zoning Adjustment as set forth in Condition No. 6 of the Conditional Use Permit granted by the Board of Zoning Adjustment Resolution No. 467 should be granted as to the curb cut required to be removed on Yosemite Boulevard

SECTION 2. Condition No. 6 of the Conditional Use Permit granted by Board of Zoning Adjustment Resolution No. 467 is hereby amended to read as follows:

> "6. That prior to the occupancy of the premises for the proposed use, the applicant shall install full concrete sidewalks on the Yosemite Boulevard and Rosina Avenue frontages to be included as part of the building permit. The applicant shall also remove one curb cut as indicated on the amended plan in accordance with the requirements of the Director of Public Works."

SECTION 3. The plan dated December 21, 1972, entitled "Six-Bay Car Wash for Setliff Brothers, Sheet No. 3" which is on file in the office of the Planning Director shall be further amended in red to show the one additional curb cut on Yosemite Boulevard which is permitted by this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

BOARD OF ZONING ADJUSTMENT
RESOLUTION NO. 467

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT IN THE C-2 ZONE TO SETLIFF BROTHERS FOR A COIN-OPERATED CAR WASHING FACILITY ON THE NORTHWEST CORNER OF YOSEMITE BOULEVARD AND ROSINA AVENUE

WHEREAS, an application for a conditional use permit in the C-2 Zone to allow construction of a coin-operated car washing facility on the northwest corner of Yosemite Boulevard and Rosina Avenue was filed by Setliff Brothers on December 7, 1972; and

WHEREAS, Section 10-2.1904(a) and Section 10-2.1901(b)(1) of the Municipal Code authorize the granting of conditional use permits in the C-2 Zone by the Board of Zoning Adjustment; and

WHEREAS, a public hearing was held on December 21, 1972.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Adjustment that it hereby finds and determines that compatibility will be maintained with respect to the particular use on the particular site and other existing and potential uses within the general area in which such use is proposed to be located for the following reasons:

1. A car laundry facility is a permitted use in the C-2 zone subject to securing a conditional use permit from the Board of Zoning Adjustment.

2. The design of the proposed facility is oriented toward Yosemite Avenue which is a major street, particularly in view of deletion of one driveway on Rosina Avenue.

3. The proposed car washing facility will be compatible with the surrounding property by virtue of the landscaped setbacks.

BE IT FURTHER RESOLVED by the Board of Zoning Adjustment that a conditional use permit in the C-2 Zone be granted to the Setliff Brothers for construction of a coin-operated car washing facility on the northwest corner of Yosemite Boulevard and Rosina Avenue subject to the following conditions:

1. That all development be in accordance with the plans entitled, "Six-Bay Car Wash for Setliff Brothers, Sheet No. 3", dated December 21, 1972, as amended in red on its face and filed in the office of the Planning Director.

Exhibit "A"

2. That prior to the issuance of a building permit for any development, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Planning Director and the Director of Parks and Recreation. The landscaping and irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system. These landscaping and irrigation plans must be approved as stated above prior to the issuance of a building permit.

3. That all landscaping, fences and walls shall be maintained and that the premises be kept free of weeds, trash, and other debris.

4. That all outside lights, including those required for security purposes around the building, shall be shielded away from residential areas as required by the City Engineer.

5. That prior to the issuance of a building permit, the applicant shall pay the City of Modesto the cost of planting seven street trees at the prevailing rate.

6. That prior to the occupancy of the premises for the proposed use, the applicant shall install full concrete sidewalks on the Yosemite Boulevard and Rosina Avenue frontages to be included as part of the building permit. The applicant shall also remove 2 curb cuts, as indicated on the amended plan in accordance with the requirements of the Director of Public Works.

7. The applicant shall provide on-site drainage facilities in accordance with the requirements of the City Engineer.

The foregoing resolution was introduced at the adjourned regular meeting of the Board of Zoning Adjustment held on December 21, 1972, by Kenneth Marple, who moved its adoption, which motion was seconded by Clifton Rooker and carried by the following vote:

Ayes:	Johnson, Marple, and Rooker
Noes:	Hall
Absent:	Schulenberg

BY ORDER OF THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF MODESTO.

William S. Nichols, Secretary

MODESTO CITY COUNCIL
RESOLUTION NO. 73-119

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (107).

WHEREAS, a verified application for an amendment to Section 9-3-9 of the Zoning Map was filed by Stone Brothers Associates on November 15, 1972, to reclassify from One-Family Residential Zone, R-1, and Planned-Development Zones P-D(48), P-D(50) and P-D(51) to Planned-Development Zone, P-D, the following described property:

R-1 to P-D

All that certain real property situate in portion of the Southeast Quarter of the Northeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Commencing at the East Quarter corner of said Section 9; thence North 0° 48' West along the East line of said Section 9 a distance of 1317.60 feet to the Northeast corner of said Southeast Quarter of the Northeast Quarter of Section 9; thence North 89° 16' West along the North line of said Southeast Quarter 220.08 feet to the point of beginning of this description, said point being the Northwest corner of City of Modesto P-P-D(52); thence continuing along said North line of the Southeast Quarter North 89° 16' West 1099.47 feet to the Northwest corner of said Southeast Quarter; thence South 0° 49' East along the West line of said Southeast Quarter 770.28 feet; thence South 89° 16' East 831.31 feet; thence North 10° 43' 16" East 40.59 feet; thence Westerly 23.36 feet along a curve, normal to the preceeding line, concave to the North, having a radius of 1000.00 feet and a central angle of 1° 20' 18"; thence North 12° 03' 34" East along a radial line 171.25 feet; thence South 81° 48' East 45.00 feet; thence North 89° 12' East 200.00 feet; thence North 0° 48' West 558.49 feet to the point of beginning.

Containing 18.165 Acres.

P-D(48) to P-D

All that certain real property situate in portion of the Southeast Quarter of the Northeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, described as follows:

Commencing at the East Quarter corner of said Section 9; thence North 0° 48' West along the East line of said Section 9 a distance of 580.00 feet; thence South 89° 12' West 220.00 feet to the point of beginning of this description; thence South 89° 21' West 60.00 feet; thence Westerly 80.44 feet along a tangent curve concave to the North having a radius of 1000.00 feet and a central angle of 4° 36' 33"; thence South 0° 39' West along a non-tangent line 26.26 feet; thence South 89° 16' East 141.07 feet; thence North 0° 48' West 26.79 feet to the point of beginning.

Containing 0.083 Acres.

P-D(50) to P-D

All that certain real property situate in portion of the Southeast Quarter of the Northeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Commencing at the East Quarter corner of said Section 9; thence North 0° 48' West along the East line of said Section 9 a distance of 580.00 feet; thence South 89° 12' West 280.00 feet; thence Westerly 80.44 feet along a tangent curve concave to the North, having a radius of 1000.00 feet and a central angle of 4° 36' 33" to the point of beginning of this description; thence continuing West 120.64 feet along said tangent curve concave to the North, having a radius of 1000.00 feet and a central angle of 6° 54' 43"; thence South 10° 43' 16" West along the extensions of a radial line 40.59 feet; thence South 89° 16' East 126.86 feet; thence North 0° 39' East 26.26 feet to the point of beginning.

Containing 0.091 Acres.

P-D(51) to P-D

All that certain real property situate in portion of the Southeast Quarter of the Northeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California described as follows:

Commencing at the East Quarter section corner of said Section 9; thence North 0° 48' West along the east line of said Section 9 a distance of 580.00 feet; thence South 89° 12' West a distance of 220.00 feet to the true point of beginning of this description; thence North 0° 48' West a distance of 185.00 feet; thence South 89° 12' West a distance of 200.00 feet; thence North 81° 48' West a distance of 45.00 feet; thence South 12° 03' 34" West a distance of 171.25 feet; thence in an easterly direction along a curve concave to the north; through a central angle of 12° 51' 34", having a radius of 1000.00 feet, a curve distance of 224.44 feet; thence north 89° 12' East a distance of 60.00 feet to the point of beginning.

Containing 1.094 Acres Gross.

WHEREAS, after a public hearing which was held on December 19, 1972, and continued to January 2, 1973, 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 subject property meets the Planning Commission's locational criteria for medium density residential dwelling units.

2. The proposed cluster housing condominium project would help to provide a variety of housing types in the neighborhood and the community.

3. The proposed Planned-Development Zone would insure compatibility of the subject project with the surrounding area by the provision of landscaping, peripheral fencing and other amenities as conditions of the P-D Zone.

WHEREAS, after a public hearing held on February 5, 1973, and consideration of an Environmental Impact Report, the Council found and determined that the application of Stone Brothers Associates 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. 1250 -C.S. on the 5th day of February, 1973, reclassifying the above-described property from One-Family Residential Zone, R-1, and Planned-Development Zones P-D(48), P-D(50) and P-D(51) to Planned-Development Zone, P-D(107),

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(107), is hereby approved in accordance with the plan titled "Proposed Cluster Development - Stone Brothers & Associates", dated January 2, 1973, as amended in red on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That all development be in accordance with the plot plan entitled, "Proposed Cluster Development - Stone Brothers & Associates", dated January 2, 1973, as amended in red on its face and on file in the office of the Planning Director.

2. That prior to the issuance of a building permit for any structures, a subdivision map shall be recorded and improvements shall be installed in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.

3. That all parking and driveway areas shall be paved and otherwise improved as shown on the approved plot plan in accordance with the requirements of the Director of Public Works. The entire development shall be provided with 374 covered off-street parking spaces and 18 uncovered off-street parking spaces. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

4. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Planning Director and the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system.

5. That all landscaping, fences, and walls be maintained and that the premises be kept free of weeds, trash, and other debris.

6. That the development shall be connected to the City water and sanitary sewer facilities in accordance with the requirements of the Director of Public Works.

7. That all signs to be placed on the premises shall conform to the sign requirements as specified in the R-1 Zone.

8. That prior to the issuance of a building permit for any development, the developer shall submit evidence, satisfactory to the City Attorney, that a Homeowner's Association has been created to guarantee common areas improvement (including private driveways) and maintenance to City standards, and to guarantee the development and continuance of the recreational vehicle storage area.

9. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

10. That prior to the issuance of a building permit, a plan for the peripheral fencing for the project shall be submitted by the applicant for approval by the Director of Planning. Fencing shall be installed in accordance with the approved fencing plan.

11. That the recreational vehicle storage area be completely fenced with a solid 6-foot high view obscuring fence as shown on the approved plot plan.

12. That building plans for all of the units of this development shall include a standard detail for adequate storage for garbage and garden refuse. Said storage areas shall be screened from view from any public street, and shall be subject to approval by the Planning Director.

13. That prior to the issuance of a building permit, the developer shall submit for approval by the Planning Director, 4 copies of a revised plot plan showing all the required changes and adjustments in design, and the limitations set on the development as shown on the plot plans amended in red and on file in the office of the Planning Director.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(107):

That the entire construction program be accomplished in one phase with construction to begin on or before March 1, 1974, and be completed not later than December 31, 1977.

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 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(107) 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 February, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Nichols
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-120

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. (Along W. Granger Ave. and Tully Road at 1562 Tully Road, Lots 18, 19 and 20 of Block 6117 - Frank J. Francek - $1,554.00)

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 24, 19 72, adopt its Resolution No. 72-568, 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, January 15, 1973, at 4:10 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 $1,554.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,554.00, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 18, 19 and 20 of Block 6117 of Francek Tract as per map filed August 28, 1946 in Volume 14 of Maps, Page 71, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 118-0709-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 5th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-121

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF MODESTO TO CALL A SPECIAL ELECTION TO ANNEX TERRITORY TO THE CITY OF MODESTO.
(EAST COOLIDGE NO. 2 ADDITION)

WHEREAS, on the 5th day of February, 1973, a petition proposing that the following described new territory, to wit, East Coolidge No. 2 Addition, be annexed to the City of Modesto, was duly received by the Council of the City of Modesto, and

WHEREAS, said petition is signed by not less than one-fourth (1/4) of the qualified electors residing within said described territory as shown by the County registration of voters, and

WHEREAS, said petition contains said description of the said new territory proposed to be annexed to said City of Modesto,

NOW, THEREFORE, it is hereby resolved that it is the intention of this Council to call a special election for the purpose of submitting to the electors residing within the hereinafter described territory the question whether or not said described territory should be annexed to said City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election. Said territory is described as attached hereto.

Said territory shall be designated and referred to upon election ballots as East Coolidge No. 2 Addition.

Any person owning real property within the said described territory may appear before the Council of the City of Modesto on the 26th day of February, 1973, at the hour of 7:35 o'clock P.M., at the Council Chambers located in the City Hall, 801 - 11th Street, Modesto, California, concerning written protest against the annexation filed pursuant to Government Code Section 35120.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R C Mangnall
Public Works Department

EAST COOLIDGE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being portions of the Southwest quarter of Section 15 and the Northwest quarter of Section 22, 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 MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, said point being the section corner common to Sections 15, 16, 21, and 22; thence along the existing City Limits on the line common to Sections 15 and 22, North 89° 48' 45" East, 1311.46 feet, to the Southeast corner of said ADDITION (261); thence along the existing City Limits, North 00° 52' 30" West, 80.05 feet, to the Southwest corner of the ROSE ACRES NO. 5 ADDITION (295), as per description filed August 15, 1972, as Instrument 6329, Stanislaus County Records; thence along the existing City Limits on the Southern boundary of said ADDITION (295), North 89° 56'05" East, 1311.55 feet, to the existing City Limits on the Western boundary of the ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records; thence along the existing City Limits on the Western boundary of said ADDITION (230), South 00° 38' 15" East, 77.20 feet, to the Northwest corner of the ROSE ACRES NO. 3 ADDITION (225), as per description filed January 24, 1969, as Instrument 2734, Stanislaus County Records; thence along the existing City Limits on the Western boundary of said Addition (225), South 00° 38' 15" East, 643.83 feet, to the Northwest corner of the KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records; thence along the existing City Limits on the Western boundary of said ADDITION (179) South 00° 38' 15" East, 349.28 feet, to the Northeast corner of the EAST ORANGEBURG NO. 5 ADDITION (271), as per description filed June 22, 1971, as Instrument 23063, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said ADDITION (271), South 89° 51' 45" West, 1308.12 feet, to the Northeast corner of the EAST ORANGEBURG NO. 4 ADDITION (270), as per description filed May 24, 1971, as Instrument 18983, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said ADDITION (270), South 89° 51' 45" West, 1310.30 feet, to the Northwest corner of said ADDITION (270) and the Eastern boundary of the MEMORIAL HOSPITAL NORTH ADDITION (261); thence along the existing City Limits on the Eastern boundary of said ADDITION (261), North 00° 53' 00" West, 990.77 feet, to the point of beginning, containing 62.036 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-122

A RESOLUTION AUTHORIZING APPLICATION FOR $42,124.00 GRANT FOR THIRD YEAR FUNDING OF THE NEIGHBORHOOD YOUTH ADVISOR PROGRAM TO THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE FOR FUNDS MADE AVAILABLE THROUGH THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.

WHEREAS, the California Council on Criminal Justice has funded the City of Modesto's Neighborhood Youth Advisor Program for two years, and

WHEREAS, the Neighborhood Youth Advisor Program has shown significant effect on the prevention of juvenile crime in the City of Modesto, and

WHEREAS, third year funding for said program is available through the California Council on Criminal Justice,

NOW, THEREFORE, BE IT RESOLVED that the City Manager is authorized to execute on behalf of the City of Modesto the grant application for law enforcement purposes and special conditions attached thereto for the City of Modesto's Neighborhood Youth Advisor Program.

BE IT FURTHER RESOLVED that the applicant agrees to accept responsibility for the disbursement and accounting of grant funds and to provide the required matching funds for said program.

BE IT FURTHER RESOLVED that it is the intent of the City of Modesto to support the Neighborhood Youth Advisor Program after grant funds are no longer available.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant ongoing law enforcement expenditures.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-123

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SAVINGS ACCOUNT WITH FRESNO GUARANTEE SAVINGS AND LOAN ASSOCIATION FOR THE CITY OF MODESTO'S DEFERRED COMPENSATION PLAN.

WHEREAS, Resolution No. 72-800 adopted by the Council of the City of Modesto on June 26, 1972, established a Deferred Compensation Plan for employees of the City of Modesto, and

WHEREAS, the Deferred Compensation Agreements entered into by and between the City of Modesto and some of its employees who have elected to participate in the Plan provide for the monies deferred by said employees to be invested in a savings account to be established with a savings and loan association, and

WHEREAS, it is deemed desirable to establish such a savings account with the Fresno Guarantee Savings and Loan Association,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the establishment of a savings account with Fresno Guarantee Savings and Loan Association for the investment of monies deferred by employees pursuant to the City of Modesto's Deferred Compensation Plan and as authorized by Section 53609 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 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W.T. Chynoweth
W.T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-124

A RESOLUTION AUTHORIZING A SAVINGS ACCOUNT WITH STATE SAVINGS AND LOAN ASSOCIATION FOR THE CITY OF MODESTO'S DEFERRED COMPENSATION PLAN.

WHEREAS, Resolution No. 72-800 adopted by the Council of the City of Modesto on June 26, 1972, established a Deferred Compensation Plan for employees of the City of Modesto, and

WHEREAS, the Deferred Compensation Agreements entered into by and between the City of Modesto and some of its employees who have elected to participate in the Plan provide for the monies deferred by said employees to be invested in a savings account to be established with a savings and loan association, and

WHEREAS, such a savings account has previously been established with State Savings and Loan Association pursuant to Modesto City Council Resolution No. 72-801, and

WHEREAS, it is deemed desirable to change the authorized signatures on said account so that they are the same as on all other city accounts,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes a savings account with State Savings and Loan Association for the investment of monies deferred by employees pursuant to the City of Modesto's Deferred Compensation Plan and as authorized by Section 53609 of the Government Code of the State of California.

BE IT FURTHER RESOLVED that this resolution shall supersede resolution No. 72-801.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-125

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE RIVERBANK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Riverbank Fire Protection District in Stanislaus County was annexed to the City of Modesto as Sylvan School No. 2 Addition by Resolution No. 72-1313 adopted on December 26, 1972, and said addition officially became a part of the City of Modesto on January 19, 1973, 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, THEREFORE, 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 Riverbank Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By E. C. Marshall
Public Works Department

October 5, 1972

SYLVAN SCHOOL NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 10, 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 Northwest corner of the SYLVAN SCHOOL ADDITION (252) as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point being on the intersection of the West line of Section 9, which is also the center line of a public road known as Coffee Road, and the Westerly projection of the North line of the COFFEE TERRACE NO. 1 subdivision, as per map filed in Volume 22 of Maps, Page 47, Stanislaus County Records; thence along the section line common to Sections 9 and 10, North 00°47'20" West, 411.06 feet, to its intersection with the Westerly projection of the South line of the COFFEE VILLAGE subdivision, as per map filed in Volume 19 of Maps, Page 34, Stanislaus County Records; thence North 89°33'30" East, 2623.90 feet, to the North-South quarter section line of Section 10; thence along said quarter section line, South 00°53'20" East, 412.33 feet, to the Northeast corner of the SYLVAN SCHOOL ADDITION (252); thence along the existing City Limits and the Northern boundary of said ADDITION (252), South 89°35'10" West, 2624.63 feet, to the point of beginning, containing 24.802 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-126

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (SYLVAN SCHOOL NO. 2 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on December 26, 1972, certain territory known as Sylvan School No. 2 Addition, and

WHEREAS, the inclusion of the area contained in Sylvan School No. 2 Addition 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 Sylvan School No. 2 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 103.

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

SECTION 5. Monday, March 26, 1973, at the hour of 7:35 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 judgment 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. 103.

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) 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) On the Eastern side of Coffee Road on the Southern boundary of the Addition.

(2) On the Southern boundary of the Addition at McGerry Street.

(3) On the Northern boundary of the Addition at McGerry Street.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 103, 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 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R C Marshall
Public Works Department

J.L.C.
1-29-73

October 5, 1972

SYLVAN SCHOOL NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 10, 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 Northwest corner of the SYLVAN SCHOOL ADDITION (252) as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point being on the intersection of the West line of Section 9, which is also the center line of a public road known as Coffee Road, and the Westerly projection of the North line of the COFFEE TERRACE NO. 1 subdivision, as per map filed in Volume 22 of Maps, Page 47, Stanislaus County Records; thence along the section line common to Sections 9 and 10, North 00°47'20" West, 411.06 feet, to its intersection with the Westerly projection of the South line of the COFFEE VILLAGE subdivision, as per map filed in Volume 19 of Maps, Page 34, Stanislaus County Records; thence North 89°33'30" East, 2623.90 feet, to the North-South quarter section line of Section 10; thence along said quarter section line, South 00°53'20" East, 412.33 feet, to the Northeast corner of the SYLVAN SCHOOL ADDITION (252); thence along the existing City Limits and the Northern boundary of said ADDITION (252), South 89°35'10" West, 2624.63 feet, to the point of beginning, containing 24.802 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 February 5, 1973 19____, 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 Councilman Elliott, seconded by Councilman Dunlap, and adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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: February 6, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-127

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND EMMA E. RICHMAN AND ACCEPTING GRANT DEED FOR LAND ACQUISITION - REVARD MANOR PARK SITE (Standiford Park No. 2 Land Acquisition)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Emma E. Richman for land acquisition - Revard Manor Park Site ($17,500 + costs for curbs, gutters and sidewalks, and lot split cost if any) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement and acceptance of Grant Deed 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 February, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-128

A RESOLUTION DETERMINING THE GENERAL PREVAILING RATES OF PER DIEM WAGES IN THE LOCALITY OF THE CITY OF MODESTO FOR THE CALENDAR YEAR 1973

WHEREAS, Section 1773.2 of the Labor Code of the State of California requires that if the awarding body chooses to refer to a copy of the prevailing rate of per diem wages on file at its principal office, in lieu of specifying them in each call for bids and in the contract, the awarding body shall publish its determination of the prevailing rate at least one time during each year, and, shall cause a copy thereof to be posted at each job site; and

WHEREAS, Section 1773.3 of the Labor Code of the State of California requires that the awarding body of each city shall file annually with the Director of Industrial Relations, its determination made pursuant to Section 1773 of the Labor Code, of the general prevailing rates of per diem wages in the locality in which the public work is to be performed.

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

1. The general prevailing rates of per diem wages in the locality of the City of Modesto for the remainder of calendar year 1973, effective February 5, 1973, is hereby determined to be those shown on the document attached hereto, marked "Exhibit A," and hereby made a part of this resolution.

2. The City Clerk is hereby instructed to publish once in the Modesto Bee, a newspaper of general circulation, the above-mentioned wage rate schedule marked "Exhibit A."

3. The City Clerk is hereby instructed to transmit a copy of this resolution, with attachment, to the Director of Industrial Relations of the State of California for filing in compliance with Section 1773.3 of the Labor 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 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

Exhibit A

Operating Engineer

CLASSIFICATION	STRAIGHT TIME	OVERTIME	SATURDAY	SUNDAY	HOLIDAY
Armor-coater (or similar)	10.62	14.75	14.75	18.88	18.88
Asphalt plant engineer	10.62	14.75	14.75	18.88	18.88
Automatic concrete slip form paver operator	11.19	15.605	15.605	20.02	20.02
Automatic railroad car dumper	11.19	15.605	15.605	20.02	20.02
Backhoe operator (hydraulic)(up to and including 1 C.Y., manufacturer's recommended capacity)	11.05	15.445	15.445	19.74	19.74
Backhoe operator (cable)(up to and including 1 C.Y., manufacturer's recommended capacity)	11.05	15.445	15.445	19.74	19.74
Ballast jack tamper	9.89	13.655	13.655	17.42	17.42
Ballast regulator	9.89	13.655	13.655	17.42	17.42
Ballast tamper multi-purpose	9.89	13.655	13.655	17.42	17.42
Band wagon operator (in conjunction with wheel excavators)	12.06	16.91	16.91	21.76	21.76
BLH Lima Road Pactor operator or similar	10.17	14.075	14.075	17.98	17.98
Boom truck or dual purpose A-frame truck operator	10.17	14.075	14.075	17.98	17.98
Boom-type backfilling machine operator	10.96	15.26	15.26	19.56	19.56
Boxman (asphalt plant)	9.89	13.655	13.655	17.42	17.42
Box operator (bunker)	9.44	12.98	12.98	16.52	16.52
Brakeman	8.99	12.305	12.305	15.62	15.62
Bridge crane operator	10.96	15.26	15.26	19.56	19.56
Canal finger drain backfiller operator	11.19	15.605	15.605	20.02	20.02
Canal finger drain digger operator	10.80	15.02	15.02	19.24	19.24
Canal trimmer operator	11.19	15.605	15.605	20.02	20.02
Canal trimmer operator with ditching attachments	11.19	15.605	15.605	20.02	20.02
Cary-Lift operator (or similar)	10.96	15.26	15.26	19.56	19.56
Cast-in-place pipelaying machine operator	10.62	14.75	14.75	18.88	18.88
Chemical grouting machine operator	10.96	15.26	15.26	19.56	19.56
Chicago boom operator	10.80	15.02	15.02	19.24	19.24
Chief of party	10.96	15.26	15.26	19.56	19.56
Combination backhoe and loader operator (up to and including 1/2 C.Y., manufacturer's recommended capacity)	10.96	15.26	15.26	19.56	19.56
Combination backhoe and loader operator over 1/2 C.Y., manufacturer's recommended capacity	11.05	15.445	15.445	19.74	19.74
Combination mixer and compressor operator (gunite)	10.80	15.02	15.02	19.24	19.24
Combination slurry mixer and/or cleaner operator	10.80	15.02	15.02	19.24	19.24
Combination slusher and motor operator	10.62	14.75	14.75	18.88	18.88
Compressor operator	9.27	12.725	12.725	16.18	16.18
Compressor operator (2 to 7)	10.06	13.91	13.91	17.76	17.76
Concrete batch plant operator (wet or dry)	10.17	14.075	14.075	17.98	17.98
Concrete batch plant operator (multiple units)	10.62	14.75	14.75	18.88	18.88
Concrete belt operator (tunnel)	9.27	12.725	12.725	16.18	16.18
Concrete conveyor or concrete pump operator, truck or equipment mounted	10.30	14.27	14.27	18.24	18.24
Concrete conveyor operator (building site)	10.30	14.27	14.27	18.24	18.24
Concrete mixer operator (up to and including 1 yard)	9.27	12.725	12.725	16.18	16.18
Concrete mixer operator (over 1 yard)	10.06	13.91	13.91	17.76	17.76
Concrete pump or Pumpcrete gun operator	10.06	13.91	13.91	17.76	17.76
Concrete saw operator, (self-propelled unit) on streets, highways, airports and canals	10.17	14.075	14.075	17.98	17.98
Continuous flight tie back auger operator (up to and including 1 C.Y.)(crane attached)	11.05	15.445	15.445	19.74	19.74
Continuous flight tie back auger operator (over 1 C.Y.)(including crane)	11.19	15.605	15.605	20.02	20.02
Conveyor belt operator (tunnel)	9.27	12.725	12.725	16.18	16.18
Crane operator (not over 25 tons hammerhead and gantry)	11.05	15.445	15.445	19.74	19.74
Crane operator (over 25 tons up to and including 125 tons)	11.19	15.605	15.605	20.02	20.02
Crane operator (over 125 tons)	12.06	16.91	16.91	21.76	21.76
Deck engineer	10.30	14.27	14.27	18.24	18.24
Deckhand	8.99	12.305	12.305	15.62	15.62
Derrick operator	10.96	15.26	15.26	19.56	19.56
Derrick barge operator	10.96	15.26	15.26	19.56	19.56
Do-More loader and Adams Elegrader operator	10.96	15.26	15.26	19.56	19.56
Dozer operator	10.62	14.75	14.75	18.88	18.88
Drilling and boring machinery operator, vertical and horizontal (not to apply to waterliners, wagon drills or jackhammers)	10.17	14.075	14.075	17.98	17.98
Drott Travelift 650 A-1 or similar equipment operator (45 ton or over)	11.19	15.605	15.605	20.02	20.02
Dual drum mixer operator	10.30	14.27	14.27	18.24	18.24
Elevating grader operator	10.96	15.26	15.26	19.56	19.56
Elevator operator (inside)	9.89	13.655	13.655	17.42	17.42
Fireman	8.99	12.305	12.305	15.62	15.62
Fireman, hot plant	9.27	12.725	12.725	16.18	16.18
Fork lift or lumber stacker operator (construction jobsite)	9.89	13.655	13.655	17.42	17.42
Fuller Kenyon pump operator and similar types	10.30	14.27	14.27	18.24	18.24
Gantry rider operator, or similar equipment	10.30	14.27	14.27	18.24	18.24

Generator operator (100 KW or over)	10.06	13.91	13.91	17.76	17.76
Grade-all operator (up to and including 1 C.Y.)	11.05	15.445	15.445	19.74	19.74
Gradesetter, gradechecker (mechanical or otherwise)	10.17	14.075	14.075	17.98	17.98
Grouting machine operator	10.06	13.91	13.91	17.76	17.76
Heading shield operator	10.62	14.75	14.75	18.88	18.88
Heavy duty repairman and/or welder	10.62	14.75	14.75	18.88	18.88
Heavy duty repairman helper	8.99	12.305	12.305	15.62	15.62
Heavy duty rotary drill rig operator (including caisson foundation work and Robbins type drills)	10.96	15.26	15.26	19.56	19.56
Helicopter radioman (signalman)	9.44	12.98	12.98	16.52	16.52
Highline cableway operator (5 tons and under)	10.80	15.02	15.02	19.24	19.24
Highline cableway operator (over 5 tons)	11.19	15.605	15.605	20.02	20.02
Highline cableway signalman	10.17	14.075	14.075	17.98	17.98
Hydra-Hammer operator or similar	10.30	14.27	14.27	18.24	18.24
Hydraulic monitor operator	9.27	12.725	12.725	16.18	16.18
Instrument man	10.30	14.27	14.27	18.24	18.24
Journeyman trainee	10.30	14.27	14.27	18.24	18.24
Ken seal machine operator (or similar)	10.62	14.75	14.75	18.88	18.88
Koehring Scooper operator (or similar)	10.96	15.26	15.26	19.56	19.56
Kolman loader operator	10.62	14.75	14.75	18.88	18.88
Lift slab machine operator (Vagtborg and similar types)	10.96	15.26	15.26	19.56	19.56
Line master	9.89	13.655	13.655	17.42	17.42
Loader operator (up to 2 yards)	10.62	14.75	14.75	18.88	18.88
Loader operator (2 yards up to and including 4 yards)	10.96	15.26	15.26	19.56	19.56
Loader operator (over 4 yards, up to and including 12 C.Y.)	11.19	15.605	15.605	20.02	20.02
Loader operator (over 12 C.Y., up to and including 18 C.Y.)	12.06	16.91	16.91	21.76	21.76
Loader operator (over 18 C.Y.)	12.28	17.24	17.24	22.20	22.20
Locomotive operator	9.44	12.98	12.98	16.52	16.52
Locomotive operator (steam or over 30 ton)	10.17	14.075	14.075	17.98	17.98
Locomotive operator (over 100 tons)(single or multiple units)	10.96	15.26	15.26	19.56	19.56
Lubrication and service engineer(mobile and grease rack)	9.89	13.655	13.655	17.42	17.42
Lull Hi-Lift operator or similar (20 feet or over)	10.80	15.02	15.02	19.24	19.24
Maginnis Internal Full Slab Vibrator operator (on airports, highways, canals and warehouses)	10.17	14.075	14.075	17.98	17.98
Material hoist operator (1 drum)	9.89	13.655	13.655	17.42	17.42
Material hoist operator (2 or more drums)	10.30	14.27	14.27	18.24	18.24
Mechanical berm, curb and/or curb and gutter machine operator, concrete or asphalt	10.17	14.075	14.075	17.98	17.98
Mechanical conveyor operator (handling bulk materials)	9.27	12.725	12.725	16.18	16.18
Mechanical finisher operator (concrete)(Clary, Johnson, Bidwell bridge deck or similar types)	10.17	14.075	14.075	17.98	17.98
Mechanical finisher or spreader machine operator (asphalt, Barber-Greene and similar)	10.30	14.27	14.27	18.24	18.24
Mechanical trench shield operator	10.62	14.75	14.75	18.88	18.88
Mine or shaft hoist operator	10.30	14.27	14.27	18.24	18.24
Mixer box operator (concrete plant)	9.27	12.725	12.725	16.18	16.18
Mixermobile operator	10.30	14.27	14.27	18.24	18.24
Motorman	9.44	12.98	12.98	16.52	16.52
Mucking machine operator (rubber tire, rail or track type)	10.80	15.02	15.02	19.24	19.24
Multiple engine earthmoving machine operator (Euclids, dozer, etc.)(no tandem scraper)	10.96	15.26	15.26	19.56	19.56
Oiler	8.99	12.305	12.305	15.62	15.62
Operator of helicopter (when used in erection work)	12.51	17.585	17.585	22.66	22.66
Partsman	8.99	12.305	12.305	15.62	15.62
Pavement breaker with or without compressor combination	10.30	14.27	14.27	18.24	18.24
Pavement breaker, truck mounted, with compressor combination	10.30	14.27	14.27	18.24	18.24
Pipe bending machine (pipe lines only)	10.30	14.27	14.27	18.24	18.24
Pipe cleaning machine (tractor propelled and supported)	10.30	14.27	14.27	18.24	18.24
Pipe wrapping machine (tractor propelled and supported)	10.30	14.27	14.27	18.24	18.24
Portable crusher operator	10.17	14.075	14.075	17.98	17.98
Portable crushing and screening plant operator	10.62	14.75	14.75	18.88	18.88
Post driver operator (M1500 and similar)	10.17	14.075	14.075	17.98	17.98
Power blade operator (single engine)	11.05	15.445	15.445	19.74	19.74
Power blade operator (multi-engine)	11.19	15.605	15.605	20.02	20.02
Power jumbo operator (setting slip forms, etc., in tunnels)	10.17	14.075	14.075	17.98	17.98
Power shovel, clamshell, dragline operator (up to and including 1 C.Y., manufacturer's recommended capacity)	11.05	15.445	15.445	19.74	19.74
Power shovel, clamshell, dragline operator (over 1 yard and up to and including 7 C.Y., manufacturer's recommended capacity)	11.19	15.605	15.605	20.02	20.02
Power shovel and dragline operator (over 7 C.Y., manufacturer's recommended capacity)	12.06	16.91	16.91	21.76	21.76

Press-weld operator (air operated)	10.06	13.91	13.91	17.76	17.76
Pre-stress wire wrapping machine operator	10.96	15.26	15.26	19.56	19.56
Pump operator	9.27	12.725	12.725	16.18	16.18
Pump operator (2 to 7)	10.06	13.91	13.91	17.76	17.76
Push cat operator	10.62	14.75	14.75	18.88	18.88
Refrigeration plant operator	10.30	14.27	14.27	18.24	18.24
Remote controlled earthmoving machine operator	12.51	17.585	17.585	22.66	22.66
Reservoir-debris tug operator (self-propelled floating)	10.96	15.26	15.26	19.56	19.56
Rodman or chainman	9.44	12.98	12.98	16.52	16.52
Roller operator	10.17	14.075	14.075	17.98	17.98
Roller operator (finish asphalt)	10.30	14.27	14.27	18.24	18.24
Ross carrier operator (construction jobsite)	9.44	12.98	12.98	16.52	16.52
Rotomist operator	9.44	12.98	12.98	16.52	16.52
Rubber tired earthmoving equipment operator (up to and including 45 C.Y. "struck," manufacturer's recommended capacity, Euclids, T-Pulls, DW-10, 20, 21 and similar)	10.62	14.75	14.75	18.88	18.88
Rubber tired earthmoving machine operator (multiple propulsion power units and two or more scrapers) (up to and including 75 C.Y. "struck," manufacturer's recommended capacity)	11.19	15.605	15.605	20.02	20.02
Rubber tired dozer operator	10.62	14.75	14.75	18.88	18.88
Rubber tired multi-purpose earthmoving machine operator (2 units over 75 C.Y. "struck," manufacturer's recommended capacity)	12.06	16.91	16.91	21.76	21.76
Rubber tired scraper operator, self-loading (paddle-wheels, etc.)	10.96	15.26	15.26	19.56	19.56
Screedman (except asphaltic concrete paving)	9.44	12.98	12.98	16.52	16.52
Screedman (Barber-Greene and similar)(asphaltic concrete paving)	10.17	14.075	14.075	17.98	17.98
Self-propelled, autmatically applied concrete curing machine operator (on streets, highways, airports and canals)	9.44	12.98	12.98	16.52	16.52
Self-propelled boom-type lifting device operator (center mount)(10 ton capacity or less, manufacturer's recommended capacity)	10.30	14.27	14.27	18.24	18.24
Self-propelled boom-type lifting device operator (center mount)(over 10 ton)	11.05	15.445	15.445	19.74	19.74
Self-propelled boom-type lifting device operator (center mount)(over 15 tons)	11.05	15.445	15.445	19.74	19.74
Self-propelled compactor operator (single engine)	10.17	14.075	14.075	17.98	17.98
Self-propelled compactor operator with dozer	10.62	14.75	14.75	18.88	18.88
Self-propelled compactor operator (with multiple propulsion power units)	11.19	15.605	15.605	20.02	20.02
Self-propelled elevating grade plane operator	10.30	14.27	14.27	18.24	18.24
Self-propelled pipeline wrapping machine operator (Perault CRC or similar types)	10.17	14.075	14.075	17.98	17.98
Self-propelled power sweeper operator	10.17	14.075	14.075	17.98	17.98
Sheepfoot operator	10.62	14.75	14.75	18.88	18.88
Shuttlecar operator	9.89	13.655	13.655	17.42	17.42
Shuttlecar operator (reclaim station)	10.96	15.26	15.26	19.56	19.56
Signalman	8.99	12.305	12.305	15.62	15.62
Single engine rubber tired earthmoving machine operator (with tandem scrapers)	11.19	15.605	15.605	20.02	20.02
Single engine scraper operator over 45 yards	10.96	15.26	15.26	19.56	19.56
Slip form paver operator (concrete or asphalt)	11.19	15.605	15.605	20.02	20.02
Slip form pump operator (lifting device for concrete forms)	10.17	14.075	14.075	17.98	17.98
Slusher operator	10.30	14.27	14.27	18.24	18.24
Small rubber-tired tractor operator	10.17	14.075	14.075	17.98	17.98
Small tractor operator (with boom)	10.30	14.27	14.27	18.24	18.24
Soil stabilizer operator (P & H or equal)	10.96	15.26	15.26	19.56	19.56
Soil tester	10.30	14.27	14.27	18.24	18.24
Spreader boxman (with screeds)	9.27	12.725	12.725	16.18	16.18
Sub-grader operator (Gurries or other automatic type)	10.96	15.26	15.26	19.56	19.56
Surface heater operator	10.17	14.075	14.075	17.98	17.98
Switchman	8.99	12.305	12.305	15.62	15.62
Tandem cat operator	11.19	15.605	15.605	20.02	20.02
Tar pot fireman	8.99	12.305	12.305	15.62	15.62
Tar pot fireman (power agitated)	9.27	12.725	12.725	16.18	16.18
Tie spacer	9.89	13.655	13.655	17.42	17.42
Timber skidder operator (rubber tired or similar equipment)	10.62	14.75	14.75	18.88	18.88
Tower crane operator, mobile	11.19	15.605	15.605	20.02	20.02
Towermobile operator	9.89	13.655	13.655	17.42	17.42
Tractor operator, compressor drill combination	10.96	15.26	15.26	19.56	19.56

Tractor drawn scraper operator	10.62	14.75	14.75	18.88	18.88
Tractor operator	10.62	14.75	14.75	18.88	18.88
Tractor operator (with boom)(D-6 or larger, and similar)	10.80	15.02	15.02	19.24	19.24
Track laying type earthmoving machine operator (single engine with tandem scrapers)	10.96	15.26	15.26	19.56	19.56
Train loading station operator	10.96	15.26	15.26	19.56	19.56
Trenching machine operator - maximum digging capacity, 3 foot depth	9.44	12.98	12.98	16.52	16.52
Trenching machine operator	10.62	14.75	14.75	18.88	18.88
Trencher operator (pulling attached shield)	11.19	15.605	15.605	20.02	20.02
Tri-batch paver operator	10.62	14.75	14.75	18.88	18.88
Truck crane oiler	9.44	12.98	12.98	16.52	16.52
Truck type loader operator	10.30	14.27	14.27	18.24	18.24
Tugger hoist operator, single drum	9.44	12.98	12.98	16.52	16.52
Tunnel mole boring machine operator	10.62	14.75	14.75	18.88	18.88
Universal Liebher and tower crane operator (and similar types)	11.19	15.605	15.605	20.02	20.02
Vacuum cooling plant operator	10.96	15.26	15.26	19.56	19.56
Welder	10.62	14.75	14.75	18.88	18.88
Welding machine operator (powered other than by electricity)(2 to 7)	10.06	13.91	13.91	17.76	17.76
Wheel excavator operator (over 750 C.Y. per hour)	12.06	16.91	16.91	21.76	21.76
Wheel excavator operator (up to and including 750 C.Y. per hour)	11.19	15.605	15.605	20.02	20.02
Whirley crane operator (up to and including 25 tons)	10.96	15.26	15.26	19.56	19.56
Whirley crane operator (over 25 tons)	11.19	15.605	15.605	20.02	20.02
Woods mixer operator (and other similar pugmill equipment)	10.62	14.75	14.75	18.88	18.88

Steel Fabricators and Erectors

Assistant to engineer (oiler)	9.41	16.46	16.46	16.46	16.46
Boom cat operator	11.27	20.18	20.18	20.18	20.18
Boom truck or dual purpose A-frame truck operator	11.27	20.18	20.18	20.18	20.18
Chicago boom operator	11.27	20.18	20.18	20.18	20.18
Chief of party	11.27	20.18	20.18	20.18	20.18
Compressor operator	9.72	17.08	17.08	17.08	17.08
Compressor, generator and/or welding machine operator (2 to 6)	10.53	18.70	18.70	18.70	18.70
Combination heavy duty repairman - welder	10.88	19.40	19.40	19.40	19.40
Crawler crane and truck crane operator (over 15 tons, manufacturer's recommended capacity)	11.60	20.84	20.84	20.84	20.84
Deck engineer	10.53	18.70	18.70	18.70	18.70
Derrick operator	11.60	20.84	20.84	20.84	20.84
Fork lift operator	10.53	18.70	18.70	18.70	18.70
Gantry rider operator	11.60	20.84	20.84	20.84	20.84
Generator operator, gasoline or diesel driven (100 KW or over)	9.72	17.08	17.08	17.08	17.08
Heavy duty repairman	10.65	18.94	18.94	18.94	18.94
Highline cableway operator	11.60	20.84	20.84	20.84	20.84
Instrument man	10.53	18.70	18.70	18.70	18.70
Operator of helicopter	12.85	23.34	23.34	23.34	23.34
Rodman or chainman	9.72	17.08	17.08	17.08	17.08
Self-propelled boom type lifting device operator (15 tons, manufacturer's recommended capacity or less)	11.27	27.18	27.18	27.18	27.18

Self-propelled boom type lifting device operator (center mount)(over 10 ton capacity, manufacturer's recommended capacity)	11.60	20.84	20.84	20.84	20.84
Signalman (using mechanical equipment)	10.53	18.70	18.70	18.70	18.70
Single drum hoist operator	11.27	20.18	20.18	20.18	20.18
Tower crane mobile operator	11.60	20.84	20.84	20.84	20.84
Tractor operator	10.65	18.94	18.94	18.94	18.94
Truck crane oiler	9.72	17.08	17.08	17.08	17.08
Tugger hoist operator	11.27	27.18	27.18	27.18	27.18
Two or more drum hoist operator	11.60	20.84	20.84	20.84	20.84
Universal Liebher and tower crane operator (and similar types)	11.60	20.84	20.84	20.84	20.84

Pile Driver Equipment Operator

Assistant to engineer (fireman, oiler, deckhand)	9.05	15.74	15.74	15.74	15.74
A-frame operator	10.36	18.36	18.36	18.36	18.36
Compressor operator	9.44	16.52	16.52	16.52	16.52
Compressor operator (2 to 7)	9.05	15.74	15.74	15.74	15.74
Deck engineer	10.36	18.36	18.36	18.36	18.36
Fork lift operator	10.36	18.36	18.36	18.36	18.36
Generator operator (100 KW or over)	9.05	15.74	15.74	15.74	15.74
Heavy duty repairman and/or welder	10.67	18.98	18.98	18.98	18.98
Operating engineer in lieu of assistant to engineer tending boiler or compressor attached to crane piledriver	11.12	19.88	19.88	19.88	19.88
Operator of crane (with steam, flash boiler, pump or compressor attached)	11.24	20.12	20.12	20.12	20.12
Operator of diesel or gasoline powered crane piledriver (without boiler) up to and including 1 C.Y. rating	11.12	19.88	19.88	19.88	19.88
Operator of diesel or gasoline powered crane piledriver (without boiler) over 1 C.Y. rating	11.24	20.12	20.12	20.12	20.12
Operator of piledriving rigs, skid or floating and derrick barges	11.12	19.88	19.88	19.88	19.88
Operator of steam powered crawler, or universal type driver (Raymond or similar type)	11.24	20.12	20.12	20.12	20.12
Operator of tugger hoist (hoisting material only)	10.12	17.88	17.88	17.88	17.88
Self-propelled boom type lifting device operator	10.36	18.36	18.36	18.36	18.36
Truck crane oiler	9.95	17.54	17.54	17.54	17.54
Truck crane operator (up to and including 25 tons) (hoisting material only)	11.12	19.88	19.88	19.88	19.88
Truck crane operator (over 25 tons)(hoisting material or performing piledriving work)	11.24	20.12	20.12	20.12	20.12
Welding machine operator (2 to 7) (powered other than by electricity)	9.05	15.74	15.74	15.74	15.74

Labor

All cleanup work or debris, grounds and building, including, but not limited to street cleaner	7.795	10.512	10.512	13.23	13.23
Asphalt ironer and raker	8.045	10.887	10.887	13.73	13.73
Asphalt shoveler	7.895	10.662	10.662	13.43	13.43
Bander (Contra Costa County)	8.245	11.187	11.187	14.13	14.13
Barko, Wacker and similar type tamper operator	8.045	10.887	10.887	13.73	13.73
Bit grinder	8.27	11.225	11.225	14.18	14.18
Blaster and powderman	8.27	11.225	11.225	14.18	14.18
Buggymobile operator	8.045	10.887	10.887	13.73	13.73
Caulker (Contra Costa County)	8.245	11.187	11.187	14.13	14.13
Cement dumper handling dry cement or gypsum	7.895	10.662	10.662	13.43	13.43
Chainsaw operator, faller, logloader and bucker	8.045	10.887	10.887	13.73	13.73
Chokesetter and rigger (clearing work)	7.895	10.662	10.662	13.43	13.43
Cleaner and washer of windows	7.795	10.512	10.512	13.23	13.23
Compactor operator (all types)	8.045	10.887	10.887	13.73	13.73
Concrete and magnesite mixer operator (1/2 yard and under)	8.045	10.887	10.887	13.73	13.73
Concrete bucket dumper	7.895	10.662	10.662	13.43	13.43
Concrete chipper and grinder	7.895	10.662	10.662	13.43	13.43
Concrete laborer (wet or dry)	7.895	10.662	10.662	13.43	13.43
Concrete pan worker	8.045	10.887	10.887	13.73	13.73
Concrete saw and sander operator	8.045	10.887	10.887	13.73	13.73
Conduit layer (Contra Costa County)	8.245	11.187	11.187	14.13	14.13
Construction laborer, including bridge and general laborer	7.795	10.512	10.512	13.23	13.23
Cribber and shorer	8.045	10.887	10.887	13.73	13.73
Cut granite curb setter	8.045	10.887	10.887	13.73	13.73
Davis trencher operator (T-66 or similar type and all small trenchers)	8.045	10.887	10.887	13.73	13.73
Diamond driller	8.27	11.225	11.225	14.18	14.18
Driller's helper, chucktender and nipper	7.895	10.662	10.662	13.43	13.43
Dumpman and loadspotter	7.795	10.512	10.512	13.23	13.23
Flagman	7.795	10.512	10.512	13.23	13.23
Fire watcher	7.795	10.512	10.512	13.23	13.23
Form raiser (slip forms)	8.045	10.887	10.887	13.73	13.73
Gardner-Denver operator (DH-143 and similar type drills)	8.27	11.225	11.225	14.18	14.18
Gardener, horticultural, and landscape laborer	7.795	10.512	10.512	13.23	13.23
Green cutter	8.045	10.887	10.887	13.73	13.73
Guinea chaser (stakeman)	7.895	10.662	10.662	13.43	13.43
Grout crewman	7.895	10.662	10.662	13.43	13.43
Headerboard man, hubsetter, aligner	8.045	10.887	10.887	13.73	13.73
High pressure nozzleman, adductor	7.895	10.662	10.662	13.43	13.43

High scaler (including drilling of same)	8.27	11.225	11.225	14.18	14.18
Hydraulic monitor operator (over 100 pounds pressure)	7.895	10.662	10.662	13.43	13.43
Jackhammer operator	8.045	10.887	10.887	13.73	13.73
Jacker of pipe (over 12 inches)	8.045	10.887	10.887	13.73	13.73
Jacker of pipe (under 12 inches)	7.895	10.662	10.662	13.43	13.43
Jackson and similar type compactor operator	8.045	10.887	10.887	13.73	13.73
Jetter	7.895	10.662	10.662	13.43	13.43
Kettleman, potman, and man applying asphalt, LayRold, creosote, lime, caustic and similar type materials (applying, dipping or handling of such materials)	8.045	10.887	10.887	13.73	13.73
Limber, brush loader and piler	7.795	10.512	10.512	13.23	13.23
Loader and unloader (carrying and handling of all rods and materials for use in reinforcing concrete)	7.895	10.662	10.662	13.43	13.43
Loading, placing and blasting of all powder and explosives of whatever type, regardless of method used for such loading and placing	8.27	11.225	11.225	14.18	14.18
Lagger, sheeter, waler, bracer, trench jacker and user of hand-guided lagging hammer	8.045	10.887	10.887	13.73	13.73
Jack leg driller	8.27	11.225	11.225	14.18	14.18
Joy drill operator (Model TWM-2A)	8.27	11.225	11.225	14.18	14.18
Maintenance landscape laborer (new construction)	7.795	7.795	7.795	7.795	13.23
Maintenance repair trackman and roadbedman	7.795	10.512	10.512	13.23	13.23
Magnesite, epoxy and mastic worker	8.045	10.887	10.887	13.73	13.73
Mechanical driller (all types regardless of type or method of power)	8.27	11.225	11.225	14.18	14.18
Multiple unit drill operator	8.27	11.225	11.225	14.18	14.18
Operator of all pneumatic, air, gas and electric tools not listed elsewhere	7.895	10.662	10.662	13.43	13.43
Pavement breaker and spader operator (including tool grinder)	8.045	10.887	10.887	13.73	13.73
Pipelayer, caulker, bander, pipewrapper, conduit layer and plastic pipe layer	8.045	10.887	10.887	13.73	13.73
Pipelayer (Contra Costa County)	8.245	11.187	11.187	14.13	14.13
Pipewrapper (Contra Costa County)	8.245	11.187	11.187	14.13	14.13
Plastic pipelayer (Contra Costa County)	8.245	11.187	11.187	14.13	14.13
Pittsburgh Chipper and similar type brush shredder operator	7.895	10.662	10.662	13.43	13.43
Post hole digger (air, gas and electric tools)	8.045	10.887	10.887	13.73	13.73
Power broom sweeper operator	8.045	10.887	10.887	13.73	13.73
Power tamper operator of all types not listed elsewhere	8.045	10.887	10.887	13.73	13.73
Ram Set gun and stud gun operator	8.045	10.887	10.887	13.73	13.73
Riprap stonepaver and rockslinger, including placing of sacked concrete and/or sand (wet or dry)	8.045	10.887	10.887	13.73	13.73
Rotary scarifier operator	8.045	10.887	10.887	13.73	13.73
Roto and Ditch Witch operator	8.045	10.887	10.887	13.73	13.73
Rototiller operator	8.045	10.887	10.887	13.73	13.73
Sandblaster, potman, gunman and nozzleman	8.045	10.887	10.887	13.73	13.73
Sewer cleaner	8.545	11.637	11.637	14.73	14.73
Signaler and rigger	8.045	10.887	10.887	13.73	13.73
Single foot, hand held, pneumatic tamper operator	7.895	10.662	10.662	13.43	13.43
Sloper	7.895	10.662	10.662	13.43	13.43
Street car and railroad construction track laborer	7.795	10.512	10.512	13.23	13.23
Tank cleaner	8.045	10.887	10.887	13.73	13.73
Temporary water line installer, Victaulic or similar	7.795	10.512	10.512	13.23	13.23
Toolroom attendant (job site only)	7.795	10.512	10.512	13.23	13.23
Track driller	8.27	11.225	11.225	14.18	14.18
Tree climber	8.045	10.887	10.887	13.73	13.73
Tree topper	8.27	11.225	11.225	14.18	14.18
Vibra screed operator (bull float)	8.045	10.887	10.887	13.73	13.73
Vibrator operator	8.045	10.887	10.887	13.73	13.73
Wagon driller	8.27	11.225	11.225	14.18	14.18
Gunite groundman	8.505	11.577	11.577	14.65	14.65
Gunite nozzleman, gunman and potman	8.505	11.577	11.577	14.65	14.65
Gunite reboundman	7.915	10.692	10.692	13.47	13.47
Gunite rodman	8.505	11.577	11.577	14.65	14.65
Gunite trainee	7.985	10.797	10.797	13.61	13.61
Semi-skilled housemover	7.895	10.662	10.662	13.43	13.43
Semi-skilled wrecker	7.895	10.662	10.662	13.43	13.43
Skilled housemover	8.045	10.887	10.887	13.73	13.73
Skilled wrecker	8.045	10.887	10.887	13.73	13.73

Tunnel Laborer

Bit grinder	8.675	11.832	11.832	14.99	14.99
Blaster, driller, powderman (in heading)	8.675	11.832	11.832	14.99	14.99
Bull gang mucker, trackman	8.425	11.457	11.457	14.49	14.49
Cherrypicker man (where car is lifted)	8.675	11.832	11.832	14.99	14.99
Concrete crewman (includes rodding and spreading)	8.425	11.457	11.457	14.49	14.49
Concrete finisher (in tunnel)	8.675	11.832	11.832	14.99	14.99
Concrete screedman	8.675	11.832	11.832	14.99	14.99
Chucktender and cabletender	8.525	11.607	11.607	14.69	14.69
Diamond driller	8.925	12.207	12.207	15.49	15.49
Dumpman (any method)	8.425	11.457	11.457	14.49	14.49
Grout crewman (includes rodding and spreading)	8.425	11.457	11.457	14.49	14.49
Grout pump man and potman	8.675	11.832	11.832	14.99	14.99
Groundman	8.925	12.207	12.207	15.49	15.49
Grout gunman	8.675	11.832	11.832	14.99	14.99
Gunite nozzleman	8.925	12.207	12.207	15.49	15.49
Headerman	8.675	11.832	11.832	14.99	14.99
High pressure nozzleman	8.675	11.832	11.832	14.99	14.99
Miner (tunnel, including top and bottom man on shaft and raise work)	8.675	11.832	11.832	14.99	14.99
Nipper	8.675	11.832	11.832	14.99	14.99
Nozzleman on slick line	8.675	11.832	11.832	14.99	14.99
Powderman, primer house	8.525	11.607	11.607	14.69	14.69
Reboundman	8.425	11.457	11.457	14.49	14.49
Rodman	8.925	12.207	12.207	15.49	15.49
Sandblaster, potman	8.675	11.832	11.832	14.99	14.99
Shaft and raise worker	8.925	12.207	12.207	15.49	15.49
Steel form raiser and setter	8.675	11.832	11.832	14.99	14.99
Swamper	8.425	11.457	11.457	14.49	14.49
Timberman, retimberman (wood or steel or substitute material)	8.675	11.832	11.832	14.99	14.99
Tugger operator	8.675	11.832	11.832	14.99	14.99
Vibratorman, pavement breaker operator	8.525	11.607	11.607	14.69	14.69

Teamster

Ammonia nitrate distributor driver and mixer	9.265	12.79	12.79	16.315	16.315
Buggymobile driver	9.00	12.392	12.392	15.785	15.785
Bus or manhaul driver	8.69	11.927	11.927	15.165	15.165
Combination bootman and road oiler	9.13	12.587	12.587	16.045	16.045
Combination dump truck and dump trailer operator	9.37	12.947	12.947	16.525	16.525
Concrete pump machine operator	8.69	11.927	11.927	15.165	15.165
Concrete pump truck driver	8.69	11.927	11.927	15.165	15.165
Double gooseneck truck driver (seven or more axles)	9.285	12.82	12.82	16.355	16.355
Driver of combination winch truck with hoist	8.94	12.302	12.302	15.665	15.665
Driver of dump truck (under 4 yards, water level)	8.69	11.927	11.927	15.165	15.165
Driver of dump truck (4 yards and under 6 yards, water level)	8.785	12.07	12.07	15.355	15.355
Driver of dump truck (6 yards and under 8 yards, water level)	8.985	12.37	12.37	15.755	15.755
Driver of dump truck (8 yards and including 12 yards, water level)	9.225	12.73	12.73	16.235	16.235
Driver of dump truck (over 12 yards and including 18 yards, water level)	9.265	12.79	12.79	16.315	16.315
Driver of dump truck (over 18 yards and including 24 yards, water level)	9.37	12.947	12.947	16.525	16.525
Driver of dump truck (over 24 yards and including 35 yards, water level)	9.425	13.03	13.03	16.635	16.635
Driver of dump truck (over 35 yards and including 50 yards, water level)	9.575	13.255	13.255	16.935	16.935
Driver of dump truck (over 50 yards and under 65 yards, water level)	9.725	13.48	13.48	17.235	17.235
Driver of dump truck (65 yards and including 80 yards, water level)	9.875	13.705	13.705	17.535	17.535
Driver of dump truck (over 85 yards and including 95 yards, water level)	10.025	14.03	14.03	17.835	17.835
Driver of DW-10, 20, 21 and other similar Cat type Terra Cobra, LeTourneau Pulls, Tournarocker, Euclid and similar type equipment when pulling Aqua-Pak, water tank trailers.	9.675	13.405	13.405	17.135	17.135
Driver of DW-10, 20, 21 and other similar Cat type Terra Cobra, LeTourneau Pulls, Tournarocker, Euclid and similar type equipment when pulling fuel and/or grease tank trailers or other miscellaneous trailers	9.425	13.03	13.03	16.635	16.635
Driver of transit mix or agitator truck (under 6 yards)	8.84	12.152	12.152	15.465	15.465

Driver of transit mix or agitator truck (6 yards and under 8 yards)	8.94	12.302	12.302	15.665	15.665
Driver of transit mix or agitator truck (8 yards through 10 yards)	9.04	12.452	12.452	15.865	15.865
Driver of transit mix or agitator truck (over 10 yards through 12 yards)	9.14	12.602	12.602	16.065	16.065
Driver of transit mix or agitator truck (over 12 yards through 14 yards)	9.24	12.752	12.752	16.265	16.265
Driver of transit mix or agitator truck (over 14 yards through 16 yards)	9.37	12.947	12.947	16.525	16.525
Escort or pilot car driver	8.69	11.927	11.927	15.165	15.165
Fuel and/or grease truck driver and fuelman	8.855	12.175	12.175	15.495	15.495
Fuel island attendant, or combination pit and/or grease rack and fuel island attendant	8.855	12.175	12.175	15.495	15.495
Heavy duty transport driver (high bed)	9.005	12.40	12.40	15.795	15.795
Heavy duty transport driver (gooseneck low bed)	9.235	12.745	12.745	16.255	16.255
Heavy duty transport tiller man	9.285	12.82	12.82	16.355	16.355
Hydro lift or Swedish crane operator	9.00	12.392	12.392	15.785	15.785
Hydro lift extension or retracting crane operator (boom type)	9.355	12.925	12.925	16.495	16.495
Lift jitney and fork lift operator	8.82	12.122	12.122	15.425	15.425
Nipper truck driver	8.69	11.927	11.927	15.165	15.165
Oiler and/or greaser and/or service man	8.765	12.04	12.04	15.315	15.315
P.B. or similar type self-loading truck operator	9.325	12.88	12.88	16.435	16.435
Pickup truck driver	8.69	11.927	11.927	15.165	15.165
Road oil truck driver or bootman	8.81	12.107	12.107	15.405	15.405
Ross Hyster and similar straddle carrier driver	9.03	12.437	12.437	15.845	15.845
Rubber tired muck car driver (not self-loaded)	8.96	12.332	12.332	15.705	15.705
Rubber tired truck jumbo driver	9.00	12.392	12.392	15.785	15.785
Scissor truck driver	8.885	12.22	12.22	15.555	15.555
Self-propelled street sweeper driver with self-contained refuse bin	9.225	12.73	12.73	16.235	16.235
Single unit flatrack driver (2 axle unit)	8.785	12.07	12.07	15.355	15.355
Single unit flatrack driver (3 axle unit)	8.885	12.22	12.22	15.555	15.555
Small rubber tired tractor driver	8.885	12.22	12.22	15.555	15.555
Snow buggy driver	8.69	11.927	11.927	15.165	15.165
Sno Go and/or plow driver	9.225	12.73	12.73	16.235	16.235
Steam cleaner operator	8.69	11.927	11.927	15.165	15.165
Team driver	8.69	11.927	11.927	15.165	15.165
Truck dispatcher	9.075	12.505	12.505	15.935	15.935
Truck repairman	9.36	12.932	12.932	16.505	16.505
Truck repairman's helper	8.86	12.182	12.182	15.505	15.505
Tire repairman	9.225	12.73	12.73	16.235	16.235
Vacuum truck driver (under 3500 gallons)	8.87	12.197	12.197	15.525	15.525
Vacuum truck driver (3500 gallons and under 5500 gallons)	8.95	12.317	12.317	15.685	15.685
Vacuum truck driver (5500 gallons and under 7500 gallons)	9.05	12.467	12.467	15.885	15.885
Water truck driver (under 2500 gallons)	8.80	12.092	12.092	15.385	15.385
Water truck driver (2500 and under 4000 gallons)	8.90	12.242	12.242	15.585	15.585
Water truck driver (4000 and under 5000 gallons)	9.00	12.392	12.392	15.785	15.785
Water truck driver (5000 and under 7000 gallons)	9.10	12.542	12.542	15.985	15.985
Warehouse clerk and partsman (job site construction)	8.815	12.115	12.115	15.415	15.415
Warehouseman, helper and team driver	8.69	11.927	11.927	15.165	15.165
Winch and A-frame truck driver	9.00	12.392	12.392	15.785	15.785
Helicopter pilot	9.725	13.48	13.48	17.235	17.235

Structural ironworker	10.855	19.435	19.435	19.435	19.435
Fence erector	10.855	19.435	19.435	19.435	19.435
	10.715	19.155	19.155	19.155	19.155

Piledriver

Journeyman piledriverman, bridge, wharf and dock builder	10.15	18.38	18.38	18.38	18.38

Cement Mason

Cement mason	9.19	12.755	16.32	16.32	16.32
Cement mason working from swing or slipform scaffolds	9.44	13.13	16.82	16.82	16.82
Mastic, magnesite, epoxy, polyester, resin, gypsum and all composition mason	9.44	13.13	16.82	16.82	16.82

Carpenter

Carpenter	10.02	14.07	14.07	18.12	18.12
Millwright	10.42	14.67	14.67	18.92	18.92
Patent scaffold erector	10.17	14.295	14.295	18.42	18.42
Power saw operator	10.17	14.295	14.295	18.42	18.42
Shingler, floorlayer (hardwood)	10.17	14.295	14.295	18.42	18.42

Auto, Marine and Specialty Painter

Beginning helper striper	6.09	8.725	6.09	6.09	11.36
Helper sandblaster, wheel stop installer and protective coating applicator	6.09	8.725	6.09	6.09	11.36
Helper striper	6.59	9.475	6.59	6.59	12.36
Journeyman traffic delineating device applicator, wheel stop installer and traffic surface sandblaster	6.59	9.475	6.59	6.59	12.36
Journeyman striper	7.69	11.125	7.69	7.69	14.56
Serviceman	6.07	8.695	6.07	6.07	11.32
Trainee for traffic delineating device application	6.09	8.725	6.09	6.09	11.36
Traffic surface protective coating applicator	6.59	9.475	6.59	6.59	12.36

Boilermaker

Blacksmith	9.57	17.02	17.02	17.02	17.02
Boilermaker	9.57	17.02	17.02	17.02	17.02

Housemover

Semi-skilled housemover	7.895	10.662	10.662	13.43	13.43
Skilled housemover	8.045	10.887	10.887	13.73	13.73
Unskilled housemover	7.795	10.512	10.512	13.23	13.23

Dredger

Bargeman	8.84	12.105	12.105	12.105	12.10
Bargemate (seagoing clam-shell dredge)	9.46	13.035	13.035	13.035	13.03
Deckhand	8.84	12.105	12.105	12.105	12.10
Deckmate	9.46	13.035	13.035	13.035	13.03
Fireman	8.84	12.105	12.105	12.105	12.10
Leveehand (hydraulic suction dredge)	8.84	12.105	12.105	12.105	12.10
Leverman	10.67	14.85	14.85	14.85	14.85
Oiler	8.84	12.105	12.105	12.105	12.10
Watch engineer (steam or electric)	9.98	13.815	13.815	13.815	13.81
Welder (hydraulic suction dredge)	9.98	13.815	13.815	13.815	13.81
Winchman (steam winch on hydraulic suction dredge; steam, electric or diesel on clamshell dredge)	9.39	12.93	12.93	12.93	12.93

Drywall Installer

Drywall installer	8.74	12.365	15.99	15.99	15.99

Elevator Constructor

Helper	7.141	13.482	13.482	13.482	13.48
Mechanic	9.749	19.099	19.099	19.099	19.09
Probationary helper	5.074	9.748	9.748	9.748	9.74

Bricktender

Straight Time	All Other Time
8.10	13.90

Carpet and Linoleum Layer

Straight Time	Overtime	Saturday	Sunday	Holiday
9.47	16.925	16.925	16.925	16.925

Electrician

	Straight Time	All Other Time
Cable splicer	9.914	19.569
Equipment operator	9.036	17.813
Lineman	9.036	17.813
Technician	9.036	17.813
Wireman	9.036	17.813

Glazier and/or Glassworker

Straight Time	Overtime	Saturday	Sunday	Holiday
8.005	11.33	11.33	14.655	14.655

Lather

Straight Time	All Other Time
7.01	14.01

Painter

	Straight Time	Overtime	Saturday	Sunday	Holiday
Brush painter, Taper	7.65	10.925	10.925	10.925	10.92
Spray painter, Sandblaster, Swing stage painter, Paperhanger	7.90	11.30	11.30	11.30	11.30

Plasterer

Straight Time	All Other Time
7.80	13.80

***Plumber**

Straight Time	All Other Time
10.85	19.50

*The general prevailing wage rate for all overtime, Saturdays, Sundays and Holidays on jobbing and repair work is 13.35.

Roofer

	Straight Time	Overtime	Saturday	Sunday	Holiday
Felt machine operator	8.29	12.11	15.93	15.93	15.93
Felt machine operator's helper	8.19	11.96	15.73	15.73	15.73
Journeyman roofer	8.04	11.735	15.43	15.43	15.43
Roof spudding operator, machine and power driven sweeper (all types)	8.19	11.96	15.73	15.73	15.73

***Sheetmetal Worker**

Straight Time	All Other Time
9.31	17.64

*The general prevailing wage rate for overtime work is 13.475.

Tilesetter

Straight Time	Overtime	Saturday	Sunday	Holiday
7.50	10.80	10.80	14.10	14.10

Tilesetter's Helper

Straight Time	Overtime	Saturday	Sunday	Holiday
6.02	8.62	8.62	11.22	11.22

Plastertender

Straight Time	Overtime	Saturday	Sunday	Holiday
8.25	14.20	14.20	14.20	14.20

Asbestos Worker

	Straight Time	Overtime	Saturday	Sunday	Holiday
Asbestos Worker mechanic	11.11	20.28	20.28	20.28	20.28
Heat and frost insulator mechanic	11.11	20.28	20.28	20.28	20.28

MODESTO CITY COUNCIL
RESOLUTION NO. 73-129

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND EDWARD T. TAYLOR III AND CHRISTINE A. TAYLOR FOR SEWER SERVICE TO PROPERTY AT 909 WYCLIFFE COURT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Edward T. Taylor III and Christine A. Taylor for sewer service to property at 909 Wycliffe Ct.

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 February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-130

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TIDEWATER SOUTHERN RAILWAY COMPANY FOR THE CONSTRUCTION AND MAINTENANCE OF RUMBLE ROAD ACROSS THE RIGHT OF WAY OF THE RAILROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Tidewater Southern Railway Company for the construction and maintenance of Rumble Road across the right of way of the Railroad 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 February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-131

COMMON USE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT OF VIRGINIA AND MORRIS AVENUES CROSSING OF THE M.I.D. LATERAL NO. 4

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the common use/agreement between the City of Modesto and Modesto Irrigation District for Virginia and Morris Avenues crossing of the M.I.D. Lateral No. 4 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said common use/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 February, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-132

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $800 TO PROVIDE FUNDS NEEDED FOR THE APPRAISAL OF PROPERTY ACROSS ALLEY FROM CITY HALL

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

SPECIAL FUND FOR CAPITAL OUTLAY (321)

FROM:	General Reserve (60-321)	$800
TO:	City Hall Parking Annex (6043-41-321)	$800

(To provide for cost of appraising this property prior to purchase)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-133

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST BY MR. A. J. WURSTER TO MAINTAIN AN EXISTING FENCE ENCROACHMENT WITHIN THE PUBLIC RIGHT OF WAY AT 1604 FAIRINGTON LANE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that February 12, 1973 , at 7:55 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request by Mr. A. J. Wurster to maintain an existing fence encroachment within the public right of way at 1604 Fairington Lane.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February , 1973 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-134

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND INTERNATIONAL ENGINEERING COMPANY, INC. FOR DESIGN WORK AND PREPARATION OF PLANS AND SPECIFICATIONS FOR AIRPORT PROJECTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and International Engineering Company, Inc.
for design work and preparation of plans and specifications for airport projects
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 February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-135

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 16-3-9 OF THE ZONING MAP (Alvarado - P-D, Norwegian and Sunrise)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 16, 1973 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 16-3-9 of the zoning map to prezone to Planned Development, P-D the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-10 recommending to the Council that prezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 16-3-9 of the Zoning Map be set for February 26, 1973 at 7:40 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed prezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February , 1973 , by Councilmen Elliott , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

All that portion of Section 16, Township 3 South, Range 9 East of the Mount Diablo Base and Meridian described as follows:

Beginning at the point of intersection of the centerline of Norwegian Avenue with the centerline of Sunrise Avenue; thence Westerly along the centerline of Norwegian to the point of intersection with the centerline of Eldena Way; thence Southerly along the centerline of Eldena Way and the Southerly extension thereof to the point of intersection the North line of Briggsmore Avenue; thence Southeasterly along the North line of Briggsmore Avenue to the point of intersection with the centerline of Sunrise Avenue; thence Northerly along the centerline of Sunrise to the point of intersection with the centerline of Norwegian Avenue, being the point of beginning.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-136

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,475 TO PROVIDE FUNDS NEEDED FOR DENTAL INSURANCE

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

PUBLIC EMPLOYMENT PROGRAM FUND (220)

FROM:	General Reserve (60-220)	$1,475
TO:	Insurance, Dental (422-05-220)	$1,223
	Insurance, Dental (422-06-220)	252

(To provide money for dental insurance; funds were not provided when the 1972-73 budget was approved)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-137

A RESOLUTION ESTIMATING AN ADDITIONAL $20,000.00 SALES TAX REVENUE AND APPROPRIATING THE AMOUNT IN THE GENERAL FUND (FUND NO. 101)

WHEREAS, it has been the policy to footnote sales tax totals in the Annual Financial Report to disclose the reduction in revenue by the State Board of Administration administrative charge, and

WHEREAS, the method of recording sales tax revenue that has been offset by the State Board of Equalization administrative cost needs to be changed to fully record the City of Modesto share of sales taxes, and

WHEREAS, the sales tax revenue to be offset by administrative cost during the 1972-73 fiscal year is estimated to be Twenty Thousand and no/100ths ($20,000.00) Dollars.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the estimated sales tax revenue (Revenue Account No. 110) be increased Twenty Thousand and no/100ths ($20,000.00) Dollars from One Million, One Hundred Sixty-Nine Thousand and no/100ths ($1,169,000.00) Dollars to One Million, One Hundred Eighty-Nine Thousand and no/100ths ($1,189,000.00) Dollars in the General Fund (Fund No. 101),

BE IT FURTHER RESOLVED that the account provided for collection services designated "Utility and Tax Collection" (Appropriation Account No. 431-65) be increased Twenty Thousand and no/100ths ($20,000.00) Dollars from Twenty-Five Thousand and no/100ths ($25,000.00) Dollars to Forty-Five Thousand and no/100ths ($45,000.00) Dollars in the General Fund (Fund No. 101),

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 5th day of

February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-138

A RESOLUTION AMENDING THE BUDGET TO INCREASE THE STREET MAINTENANCE TRANSFER IN THE SPECIAL GAS TAX STREET IMPROVEMENT FUND (FUND NO. 207)

WHEREAS, it is anticipated that there will be an additional One Hundred Thousand and no/100ths ($100,000.00) Dollars in gas tax money available in the Special Gas Tax Street Improvement Fund (Fund No. 207) during the 1972-73 fiscal year, because of the availability of Local Transportation Fund monies for street construction projects, and

WHEREAS, said money may be used to offset street maintenance expenditures.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the street maintenance transfer budgeted in the Special Gas Tax Street Improvement Fund (Fund No. 207) be increased One Hundred Thousand and no/100ths ($100,000.00) Dollars from One Hundred Eighty-One Thousand, Nine Hundred and no/100ths ($181,900.00) Dollars to Two Hundred Eighty-One Thousand, Nine Hundred and no/100ths ($281,900.00) Dollars.

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 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-139

A RESOLUTION AMENDING THE BUDGET FOR THE NEIGHBORHOOD YOUTH ADVISORS PROGRAM FOR THE BALANCE OF THE 1972-73 FISCAL YEAR.

WHEREAS, the Neighborhood Youth Advisor program was funded until December 1, 1972 at the time the 1972-73 fiscal year operating budget was approved by the Council of the City of Modesto, and

WHEREAS, additional grant funds have been made available by the California Council of Criminal Justice, and

WHEREAS, the portion of the additional grant applicable to the balance of the 1972-73 fiscal year totals Twenty-Four Thousand, Five Hundred Seventy and no/100ths ($24,570,00) Dollars, and

WHEREAS, the City of Modesto's share of matching funds to be transferred from the General Fund (Fund No. 101) to the Neighborhood Youth Advisors Fund (Fund No. 221) totals Eleven Thousand, Two Hundred Eighty-Three and no/100ths ($11,283.00) Dollars, and there is also an amount of Three Thousand, Five Hundred Thirty-Eight and no/100ths ($3,538.00) Dollars to be estimated for the purpose of recording "In Kind" charges representing costs incurred by the participating school systems.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the amount provided for transfer to the Neighborhood Youth Advisor Fund (Fund No. 221) in the General Fund (Fund No. 101) be increased Eleven Thousand, Two Hundred Eighty-Three and no/100ths ($11,283.00) Dollars from Five Thousand, One Hundred Seven and no/100ths ($5,107.00) Dollars to Sixteen Thousand, Three Hundred Ninety and no/100ths ($16,390.00) Dollars.

BE IT FURTHER RESOLVED the the Neighborhood Youth Advisors Fund (Fund No. 221) budget be and is hereby amended as follows:

Budgetary Account	Original 1972-73 Amount	Budgetary Increase	Amended 1972-73 Amount
Estimated Revenue (Subsidiary Revenue Account 857)	$17,556.00	$24,570.00	$42,126.00
Estimated In Kind Expenditures	5,742.53	3,538.00	9,280.53
Estimated Interfund Transfer In	5,107.00	11,283.00	16,390.00
Appropriations (Matching and In Kind)	28,405.53	39,391.00	67,796.53

Subsidiary Appropriation Accounts:	Budgetary Increase
Salaries & Wages - Grant Funds (Acct. 110-11)	$24,570.00
Salaries & Wages - Matching Funds (Acct. 110-22)	5,506.00
Business Expense - Matching Funds (Acct. 208-22)	525.00
Tools, Shop & Field Supplies - Matching Funds (Acct. 308-22)	438.00
Uniform Allowance - Matching Funds (Acct. 339-22)	390.00
Compensation Insurance - Matching Funds (Acct. 411-22)	1,143.00
Dental Insurance - Matching Funds (Acct. 422-22)	172.00
Group Life Insurance - Matching Funds (Acct. 423-22)	33.00
P.E.R.S. Insurance - Matching Funds (Acct. 425-22)	2,528.00
Group Health Insurance - Matching Funds (Acct. 426-22)	548.00
Office Supplies - In Kind (Acct. 301-33)	115.00
Service Charges - In Kind (Acct. 490-33)	3,423.00

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 5th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-140

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $120 TO PROVIDE ADDITIONAL FUNDS NEEDED FOR DUES - LEAGUE OF CALIFORNIA CITIES

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$120
TO:	Memberships & Dues (401-65-101)	$120

(There was an increase in dues, from the $2,380 estimated in the budget, due to an increase in the City's population)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-141

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT, WALLACE W. FREEMAN, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of Wallace W. Freeman, Claimant, against the City of Modesto was received by certified mail at 10:00 A.M. February 7, 1973 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, Wallace W. Freeman against the City of Modesto, received by certified mail at 10:00 A.M., February 7, 1973 in the office of W. T. Chynoweth, 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 12th day of February, 1973 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-142

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF DONALD J. MAYOL AS A MEMBER OF THE PERSONNEL COMMISSION

WHEREAS, Donald J. Mayol has served as a member of the Personnel Commission since January 8, 1968; and

WHEREAS, Mr. Mayol has tendered his resignation from the Personnel Commission effective February 12, 1973; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Mr. Mayol from the Personnel Commission is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Mr. Mayol 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 12th day of February, 1973, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-143

A RESOLUTION APPROVING AND DISAPPROVING REQUESTED CHANGES TO THE CONTRACT DOCUMENTS AND SPECIFICATIONS FOR PURCHASE OF TRANSIT-TYPE DIESEL MOTOR COACH, AIR CONDITIONED, BY CITY OF MODESTO, CALIFORNIA, AND POSTPONING THE DATE AND TIME OF THE BID OPENING.

WHEREAS, on January 15, 1973, by Resolution No. 73-28, this Council accepted and approved Contract Documents and Specifications for Purchase of an Air Conditioned Transit-Type Diesel Motor Coach and authorized the City Clerk to give notice inviting sealed bids therefor, and

WHEREAS, said Contract Documents and Specifications provided that bidders could make requests for approved equals, clarification of specifications, and protests of specifications in the time and manner provided for in said Contract Documents and Specifications, and

WHEREAS, General Motors Corporation, GMC Truck & Coach Division, and Highway Products, Inc. (Twin Coach) have made requests for approved equals, clarification of the Specifications and protests of the Specifications, and

WHEREAS, this Council has considered said requests and has determined that some of said requests should be approved and others disapproved, and

WHEREAS, the receipt of said requests, and consideration thereof by City makes it necessary for City to postpone the date and time of the bid opening, as provided for in said Contract Documents and Specifications,

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

1. The date and time of the bid opening for furnishing one transit-type diesel bus, air conditioned, is hereby postponed from February 20, 1973, at 2:00 p. m. to March 20, 1973, at 2:00 p. m., and the City Clerk is hereby directed to give a revised notice of said new date and time for the bid opening.

2. All of the requests of General Motors Corporation, GMC Truck & Coach Division, for approved equals, clarification of the specifications and protests of the specifications as contained in the Contract Documents and Specifications for Purchase of Transit-Type Diesel Motor Coach, Air Conditioned, by City of Modesto, California, dated January, 1973, as set forth in their letter dated February 1, 1973, and addressed to Mr. W. T. Chynoweth, City Clerk, copies of which are on file in the offices of the City Clerk and Director of Parking and Traffic of the City of Modesto, are hereby approved.

3. All of the requests of Highway Products, Inc. (Twin Coach), for approved equals, clarification of the specifications and protests of the specifications as contained in the Contract Documents and Specifications for Purchase of Transit-Type Diesel Bus, Air Conditioned, by City of Modesto, California, dated January, 1973, attached to their letter dated February 2, 1973, and addressed to Mr. D. J. Carmody, Director of Parking and Traffic, copies of which are on file in the offices of the City Clerk and Director of Parking and Traffic, of the City of Modesto, except for those disapproved by Paragraph 4 hereof, are hereby approved.

4. The requests of Highway Products Inc. (Twin Coach) for approved equals, clarification of the specifications and protests of the specifications as contained in the Contract Documents and Specifications for Purchase of Transit-Type Diesel Coach, Air Conditioned, by City of Modesto, California, dated January, 1973, which requests are attached hereto and marked Sheets 3, 10, 14, 16, 18, 20 and 23, are hereby disapproved.

5. The Director of Parking and Traffic of the City of Modesto is hereby directed to issue an addendum to the Contract Documents and Specifications showing the changes thereto as approved hereby and giving notice of the postponement of the bid opening date to March 20, 1973, at 2:00 p.m.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

The standard Twin Coach flooring is 3/4" thick, 5 ply resin and permits the use of self tapping screws because the underbody structure is designed so that the floor takes no structural load. Cross members are joined by steel rails which take the place of the bolted flooring. We request that this construction be approved as equal to that specified.

Attached is additional technical data excerpted from the Consultants Study on Medium Sized Coaches pages 23-24.

Your requirement for a vertical stanchion to be mounted from floor to ceiling at the inside rear corner of the rear stepwell is not applicable to Twin Coach. This is because your specification anticipates the exit door will be located forward of the rear wheel. Twin Coach locates its exit door behind the rear wheel to provide the most efficient passenger flow possible, to help reduce vandalism in the rear section of the coach, and most important of all, to provide maximum safety to passengers exiting.

Since there are no seats located behind the Twin Coach rear door and it is, therefore, impossible to approach the rear door from the rear, a vertical stanchion at the inside rear corner of the stepwell and an accompanying modesty panel serve no useful purpose.

As standard Twin Coach provides a vertical stanchion at the inside front corner of the rear stepwell.

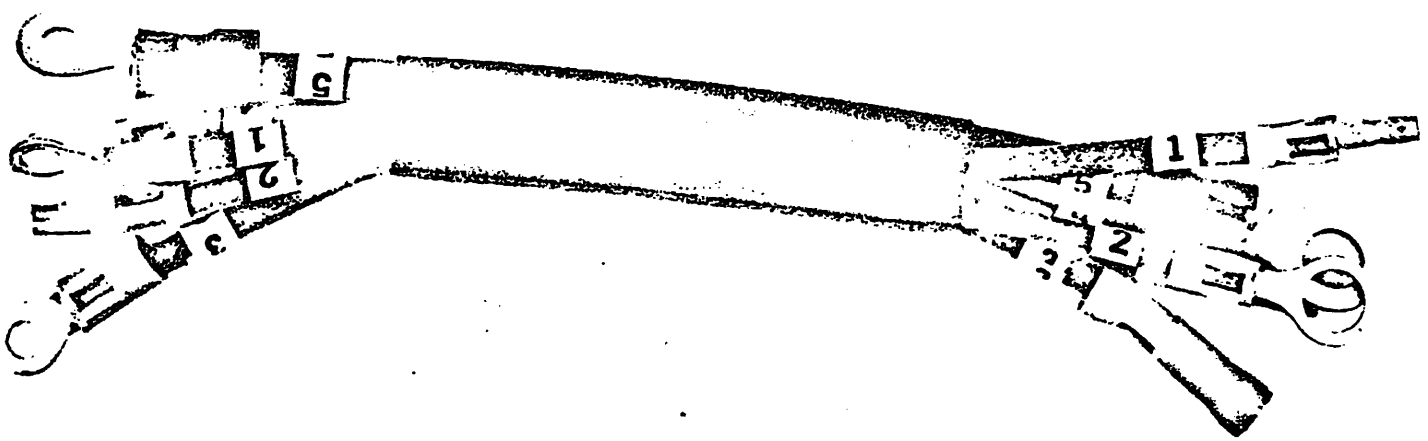
We request the above described arrangement be approved.

of color coded. Multiple number tapes are secured to each end of each individual wire, adjacent to the terminal, and where necessary, and practical, additional numbers are secured to the areas between the terminals.

The use of number coded wires permits greater flexibility of design when special or additional electrical units are required. Color coded wiring is somewhat restrictive in its use. There is a limited number of color or color combinations available. Color coding also tends to become obscured, after years of use some colors loose their distinctive identification. From the manufacturers standpoint, the use of color coded wiring requires considerably larger inventory of wiring be carried in stock.

Twin Coach because it is operating at a much lower level of production than the larger coach manufacturers does not find it economically feasible to carry this inventory. Twin Coach has elected instead to manufacture its own harnesses inorder to be able to have better control of quality and greater flexibility of design. A sample harness is enclosed for your inspection.

For the reasons outlined above, we request the use of number coded general purpose wiring be approved.



Twin Coach employs a 12-volt, 180 ampere hour rated battery as standard for the power plant we are proposing. The engine manufacturer recommends, for the 4-53 Engine, 12-volt systems, a single battery 150 ampere hour rated at SAE 20 hour. See attached copy of Detroit Diesel Allison Battery Recommendations for their current engine models, dated February 1972.

We request the 180 ampere battery be approved.

The standard Twin Coach air compressor has an output of 7 1/4 cu. ft. per minute. This compressor conforms to the Federal Motor Vehicle Safety Standard No. 121, dated February 24, 1972, Paragraph S5.1.1 which states that the compressor shall have sufficient capacity to increase air pressure in the supply and service reservoirs from 85 pounds per square inch to 100 pounds per square inch, when the engine is operating at the maximum recommended RPM, within 25 seconds. This new requirement will become effective September 1, 1974.

The Twin Coach air storage capacity of 2240 cubic inches for normal air applications and 1120 cubic inches for emergency usage also conforms to the above Safety Standard Regulation. Per Paragraph S5.1.2.1 the combined volume of all service reservoirs and supply reservoirs shall be at least twelve times the combined volume of all service brake chambers at full stroke. The Twin Coach service brake chambers have a combined volume of 175 cubic inches and require a total of 2100 cubic inches of service and supply reservoir capacity.

In view of the above, we request the Twin Coach air compressor and air supply reservoir capacity be approved.

Twin Coach uses Synflex tubing instead of seamless annealed copper tubing. (See sample attached)

This is a seamless nylon inner core tube, open polyester reinforced, with smooth outer jacket of nylon bonded to the core tube.

Synflex tubing meets all applicable sections of SAE J 844b Type 3 as revised May 1968.

Advantages of Synflex tubing:

1. Not subject to work-hardening or vibration fatigue. Inspection is simplified. Since the core is a different color than the jacketing, it is easy to determine excessive wear at any point.

2. Chemical and corrosion resistant.

3. Lightweight - 75% less weight than metal tubing.

4. Easy to handle and install - no preforming. Easy shaping to any desired configuration without pinching or flattening.

5. Repair and replacement time is slashed - no flaring or special tools required.

We request that our Synflex tubing be approved since it is superior to the copper tubing specified.



The question of which diesel engine is appropriate to a given bus design and the intended application is of vital importance. Highway Products, Inc. has standardized on the Detroit Diesel 4-53N engine mated with the Allison AT-540 automatic transmission in its Twin Coach vehicles. We have done so on the express recommendation of the engine manufacturer and because of our own experience.. A six cylinder diesel engine is not available on the Twin Coach transit bus.

The two cycle 4-53N engine provides roughly the same power to weight ratio in our TC-31 (curb weight 12,900 lbs.) as does the six cylinder, four cycle engine used in the heavier bus with which the Twin Coach competes, and it performs as well in hilly terrain. The gradeability, noise levels, and speed of the two vehicles with the engines indicated are comparable, but the 4-53N engine in our bus provides greater fuel economy than that found in the competitive bus.

Attached are several reports which compare the 4-53 engine as installed on the TC-31. Pages 35-38 are excerpted from the consultants' study on medium sized coaches which concluded that the 4-53 was the proper engine for the TC-31. Also attached is the Comparative Acceleration and Gradeability Report (Kent State-Lee's) which shows that performance is comparable to the Toroflow 478 in the 3302. Finally, the manufacturer's letter of recommendation on the 4-53 is included.

The Detroit Diesel 4-53 engine has several outstanding advantages in design and construction which are as follows:

1. Induction hardened crankshaft.
2. Hardened valve seats.
3. Chrome steel piston rings.
4. N-45 "Low-Sac" type injectors.
5. Replaceable heat treated cast iron cylinder liners.
6. Maximum parts interchangeable with all 53 series Detroit Diesel Engines.
7. Replacement parts are readily available throughout the country from Detroit Diesel Allison distributors, and dealers.

We request the use of the Detroit Diesel 4-53N engine be approved.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-144

A RESOLUTION REJECTING BIDS FOR MICROFILM EQUIPMENT OPENED DECEMBER 27, 1972 AT 2:15 P.M.

WHEREAS, the Council of the City of Modesto on December 11, 1972 approved plans and specifications and authorized a call for bids for microfilm equipment; and

WHEREAS, the bids were duly opened December 27, 1972 at 2:15 P.M.; and

WHEREAS, the staff feels the original specifications were not properly prepared and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bids opened December 27, 1972 for microfilm equipment are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1973, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-145
MODIFIED AND IMPROVED

A RESOLUTION APPROVING ~~XXXXXXXX~~ SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR MICROFILM EQUIPMENT

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

SECTION 1. The modified and improved ~~xxxxxxxx~~ specifications for microfilm 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 February 27, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-146

A RESOLUTION DENYING THE APPEAL OF WARNER M. SOELLING TO THE DECISION OF THE PLANNING COMMISSION DENYING AN AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP, AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION, AND DIRECTING THE PLANNING COMMISSION TO WAIVE THE ONE-YEAR LIMITATION ON A NEW APPLICATION.

WHEREAS, a public hearing was held by the Council of the City of Modesto on February 12, 1973 to consider the appeal of Warner M. Soelling to the decision of the Planning Commission of the City of Modesto denying an amendment to Section 22-3-9 of the Zoning Map to prezone to Planned Development Zone, P-D, for a neighborhood shopping center and a forty-eight (48) unit two (2) story apartment complex, property at the southwest corner of Old Oakdale Road and the Briggsmore Expressway, which property is described as follows:

All that portion of Section 22, Township 3 South, Range 9 East of the Mount Diablo Base and Meridian described as follows:

All of Lot 1 of the Broughton Colony Tract as shown on the map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records.

Excepting therefrom the Southerly 227.64 feet.

Also excepting therefrom all of M.I.D. Lateral No. 3 and Briggsmore Avenue immediately adjacent to the above described property.

WHEREAS, said Council, after hearing evidence both oral and documentary, found and determined that the amendment to Section 22-3-9 of the Zoning Map to prezone the above-described property to Planned Development Zone, P-D, is not required by public necessity, convenience and general welfare because the applicant's proposed plan of development is not a suitable plan of development for said property

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Warner M. Soelling to the decision of the Planning Commission denying an amendment to Section 22-3-9 of the Zoning Map be denied for the reason set forth above, and the decision of the Planning Commission is affirmed.

BE IT FURTHER RESOLVED that the Planning Commission is directed to waive the one year time limit on the filing of a new application to prezone or rezone said property as provided in Section 10-2.2103 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 12th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilman: Dixon, Dunlap, Elliott, Newton, Smith

NOES: Councilman: Simon

ABSENT: Councilman: Mayor Davies

ATTEST: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-147

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MATILDE R. AND JESSIE P. JIMENEZ FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 832 CALIFORNIA STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Matilde R. and Jessie P. Jimenez for sewer service to property outside the City at 832 California

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 February, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 72/42-43

MODESTO CITY COUNCIL
RESOLUTION NO. 73-148

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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 improvements described in the notices which are attached hereto and incorporated by reference herein.

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 5th day of March, 1973, at 4:05 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 12th day of February, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(a) Sidewalk on LaLoma at 207 No. Santa Cruz Avenue, Lots 5 and 6, Block 2061-1 (Melva A. Davenport)

(b) Sidewalk on LaLoma at 320 Las Flores Ave., Lot 4 of Block 232. (Mary Demicheli)

(c) Sidewalk at 1403 La Loma, a portion of Block 2087. (Elburnus W. Garke)

(d) Sidewalk at 1215 LaLoma, a portion of Block 2061-1. (Benjamin B. Holgate)

(e) Sidewalk on LaLoma at 316 N. Santa Rosa Avenue, a portion of Block 2022. (Mary L. Hudelson)

(f) Sidewalk at 727 LaLoma, Lot 5 of Block 231. (Harold S. Parsons, Jr.)

(g) Sidewalk at 1213 LaLoma, a portion of Block 2061-1. (Ralph Heinrich)

(h) Sidewalk on LaLoma at 406 Bonita Avenue, Lot 1, Block 231. (Aron Saks)

(i) Sidewalk at 723 LaLoma, Lot 6 of Block 231. (Ray C. Varndell)

(j) Sidewalk at 1002 LaLoma, a portion of Block 2030 (Lester O. Wheeler)

NOTICE IS HEREBY GIVEN:

TO: NAME Melva A. Davenport

ADDRESS P. O. Box 3083, Modesto, CA 95353

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 5 and 6 of Block 2061-1 of E. H. Gum Subdivision as per map filed May 10, 1938 in Volume 11 of Maps, Page 42, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1507-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting La Loma on the South side of Block 2061-1 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 5th day of March, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 14th day of February, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

TO: NAME Elburnus W. & Ann Garke

ADDRESS 1403 La Loma, Modesto, CA 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

That portion lying North of La Loma of the East 134.9 feet of the West 164.9 feet of the South 357 feet of Lot 12 of Severin Colony as per map filed July 18, 1908 in Volume 3 of Maps, Page 47, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1627-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting La Loma on the South side of Block 2087 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 5th day of March, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 14th day of February, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

TO: NAME Benjamin B. & Ruth Holgate

ADDRESS 1215 La Loma, Modesto, CA 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

That portion lying North of La Loma of the East 50 feet of the West 105 feet of Lot 7 of Severin Colony as per map filed July 18, 1908 in Volume 3 of Maps, Page 47, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1502-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting La Loma on the South side of Block 2061-1 in the City of Modesto, all of said construction to be in Accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 5th day of March, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 14th day of February, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

TO: NAME Harold S. Jr. & Angeline M. Parsons

ADDRESS 727 La Loma, Modesto, CA 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 5 of Block 231 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 42, Stanislaus County Recouds.

(Stanislaus County Assessor's Parcel No. 002-01 107-0317-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting La Loma on the South side of Block 231 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05p.m. on the 5th day of March, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 14th day of February, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

TO: NAME Ralph & Mary Ellen Heinrich

ADDRESS 1321 Kingsbury Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

That portion lying North of La Loma of the East 37 feet, more or less, of the West 55 feet of Lot 7 of Severin Colony as per map filed July 18, 1908 in Volume 3 of Maps, Page 47, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1501-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting La Loma on the South side of Block 2061-1 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 5th day of March, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 14th day of February, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

TO: NAME Ray C. Varndell

ADDRESS 1633 W. Rumble Road, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 231 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 231, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 107-0318-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting La Loma on the South side of Block 231 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05p.m. on the 5th day of March, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 14th day of February, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:
TO: NAME Lester O. & Ruby E. Wheeler

ADDRESS 1014 Floyd Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

That portion lying South of La Loma of the East 124.41 feet of the West 154.41 feet of Lot 25 and of the North 35.67 feet of Lot 24 of Wilson School Tract as per map filed March 24, 1924 in Volume 9 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1141-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting La Loma on the North side of Block 2030 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 5th day of March, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 14th day of February, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 73-149

A RESOLUTION DETERMINING THAT THE COUNTY ADMINISTRATION CENTER EXPANSION ON BLOCK 82 IN DOWNTOWN MODESTO IS IN COMPLIANCE WITH THE MODESTO URBAN AREA GENERAL PLAN.

WHEREAS, in March, 1972, Booz-Allen and Hamilton recommended to the Board of Supervisors of Stanislaus County that a County Administration Center of 40,000 gross square feet be constructed in Block 82 bounded by H, 12th, G and 11th Streets in downtown Modesto, the acquisition to include the entire block consisting of 158,914 gross square feet, and

WHEREAS, the Stanislaus County Board of Supervisors subsequently approved the above recommendation, and

WHEREAS, Section 65402(b) of the California Government Code states in part that "a county shall not acquire real property ... nor construct or authorize a public building or structure ... within the corporate limits of a city ... until the location, purpose and extent of such acquisition ... or such public building ... have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted General Plan, and

WHEREAS, the County Chief Administrative Officer, in a letter dated December 26, 1972, requested a city finding as required by the above-mentioned Government Code section, and

WHEREAS, the Planning Commission reviewed this matter at its meeting of February 6, 1973, at which time, by Resolution No. 73-14, it found and determined that the proposed Downtown County Administration Center expansion on Block 82 is in compliance with the Modesto Urban Area General Plan for the following reasons:

1. The "Study of the Central Business District, City of Modesto, California", (Cox Report), by Frank Emery Cox and Associates states: "The functions of government are an integral part of the Downtown Modesto Area. These functions should be performed in an area adjacent to but not a part of the retail operation."

2. Forward Modesto Committee 1962, Governmental Facilities and Services Subcommittee recommended public buildings be constructed in a civic center bounded by F and I Streets from 9th to 12th Streets.

3. The above recommendations were echoed in the "Study of Public Building Location in Downtown Modesto", June 1964, prepared by the Modesto Planning Department.

4. The "Modesto Urban Area General Plan" (December 1965) states:

(a) General Plan Principles: "The CBD should remain the focal point of the Urban Area's commercial, financial, administrative, and cultural activity."

(b) Land Use Descriptions: "Coupled with the expected rate of retail growth, there should be a rise in the importance of the CBD's function in the administrative, professional and financial fields."

5. The City's bus system focuses on the downtown. By expanding County offices in the downtown, the bus system can continue to provide public transportation to those seeking county services who do not have access to automobiles as well as to county employees desiring commuter bus service,

and

WHEREAS, the Planning Commission in said Resolution No. 73-14 recommended that the City Council approve said finding and determination and report said finding and determination to the County of Stanislaus,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Planning Commission's finding and determination and finds and determines that the County Administration Center expansion on Block 82 in Downtown Modesto is in compliance with the Modesto Urban Area General Plan for the reasons set forth in Planning Commission Resolution No. 73-14, which are set forth above.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to transmit a certified copy of this resolution to the Board of Supervisors of the County of Stanislaus.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 12th day of February, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-150

A RESOLUTION OF THE MODESTO CITY COUNCIL PROTESTING THE EXECUTION OF AN OPEN SPACE CONTRACT APPLICATION NO. 73-1523 (ORA SKILES, ET UX.)

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. 73-1523, (ORA SKILES, ET UX.)

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 12th day of February, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. ~~73x~~ 73-151

A RESOLUTION OF THE MODESTO CITY COUNCIL OFFERING NO OBJECTION TO PROPOSED OPEN SPACE CONTRACT APPLICATION NO. 73-1527 (JOHN KLINK, ET UX.)

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 Open Space Contract Application not be opposed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does not oppose Open Space Contract Application No. 73-1527, (JOHN KLINK, ET UX.).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form (1/24/72)

MODESTO CITY COUNCIL
RESOLUTION NO. ~~72~~ 73-152

A RESOLUTION OF THE MODESTO CITY COUNCIL OFFERING NO OBJECTION TO PROPOSED OPEN SPACE CONTRACT APPLICATION NO. 73-1544 (NOAH MILLER, ET AL.)

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 Open Space Contract Application not be opposed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does not oppose Open Space Contract Application No. 73-1544, (NOAH MILLER, ET AL.).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

CA Form (1/24/72)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-153

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $98.00 TO PROVIDE FUNDS NEEDED TO COVER COST OF TRAINING POLICE RESERVES AT MODESTO JUNIOR COLLEGE

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

GENERAL FUND (201)

FROM:	Tools, Shop Field Supplies (308-26-101)	$98.00
TO:	Other Special Charges (429-22-101)	$98.00

(To cover cost of mandatory training the Police Reserves will be receiving at Modesto Junior College)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-154

A RESOLUTION EXPRESSING REGRET OVER DEATH OF OFFICER RAY WILLERT, TURLOCK POLICE DEPARTMENT

WHEREAS, on February 9, 1973, Officer Ray Willert of the Turlock Police Department was shot and killed in the line of duty, and

WHEREAS, Officer Willert was respected and admired by all who had occasion to work with him, and

WHEREAS, as a dedicated police officer, Mr. Willert was known for his dependability and conscientiousness.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that deep regret over the loss of Officer Ray Willert be expressed.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the bereaved family and to the Turlock Police Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-155

A RESOLUTION GRANTING CONSENT FOR THE CONSOLIDATION OF CERTAIN SCHOOL DISTRICT ELECTIONS WITHIN THE BOUNDARIES OF THE MODESTO HIGH SCHOOL DISTRICT WITH THE MODESTO GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 17, 1973

WHEREAS, the Stanislaus County Superintendent of Schools is required by law to call and conduct certain school district elections to be held on Tuesday, April 17, 1973; and

WHEREAS, the California Education Code permits consolidation or partial consolidation of school district elections with municipal elections and provides for apportionment of the cost and expense of such consolidations between the city and district; and

WHEREAS, the City of Modesto will hold a General Municipal Election, which will include the area within the entire Modesto High School District, on April 17, 1973.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that consent is hereby given for the consolidation of the following school district elections to be held on Tuesday, April 17, 1973 with the Modesto General Municipal Election to be held on April 17, 1973 in all Stanislaus County Election Precincts located entirely within the exterior boundaries of the territory included within the area in which the Modesto General Municipal Election will be held:

1. The Yosemite Junior College School District Governing Board Member Biennial Election;

2. The Stanislaus County Board of Education Regular Biennial Election;

3. The Regular Governing Board Member Biennial Elections in the following school districts:

Empire Union
Hart Ransom Union
Paradise
Salida Union
Shiloh
Stanislaus Union
Sylvan Union

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: Pauline P Stanley
PAULINE P. STANLEY, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-156

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 AND RESCINDING RESOLUTION NO. 73-120 (Along W. Granger Ave. and Tully Road at 1562 Tully Road, Lots 18, 19 and 20 of Block 6117 - Frank J. Francek - $1,554.00)

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 24, 19 72, adopt its Resolution No. 72-568, 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, January 15, 19 73, at 4:10 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 $1,554.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,554.00, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 18, 19 and 20 of Block 6117 of Francek Tract as per map filed August 28, 1946 in Volume 14 of Maps, Page 71, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 118-0709-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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.

BE IT HEREBY RESOLVED Resolution No. 73-120 of 2-5-73 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: Pauline P. Stanley
City Clerk
PAULINE P. STANLEY, Acting

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-157

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FLOYD THOMAS BERGLUND FOR WAGE INCREASE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Floyd Thomas Berglund

for wage increase ($43 monthly effective 2-1-73 - contract to be effective from 2-1-73 until 6-30-74)

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 February, 19 73, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: Pauline P. Stanley
XXXXXXXXXXXXX, City Clerk
PAULINE P. STANLEY, Acting

MODESTO CITY COUNCIL
RESOLUTION NO. 73-158

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTS AT EL VISTA AND ENCINA (Ferrero Electric, Inc.)

WHEREAS, a report has been filed by the Director of Parking and Traffic that the construction of Traffic Signals and Street Lights at El Vista and Encina has been completed by Ferrero Electric, Inc.

in accordance with the contract agreement dated July 24, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of Traffic Signals and Street Lights at El Vista and Encina be accepted from said contractor, Ferrero Electric, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $10,575.00 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meetingof the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: Pauline P Stanley
City Clerk
PAULINE P. STANLEY, Acting

MODESTO CITY COUNCIL
RESOLUTION NO. 73-159

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF PLAY AREA AT PIKE PARK

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

SECTION 1. The plans and specifications for construction of play area at Pike 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 March 6, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: Pauline P. Stanley
XXXXXXXXXXXX, City Clerk
PAULINE P. STANLEY, Acting

MODESTO CITY COUNCIL
RESOLUTION NO. 73-160

A RESOLUTION ACCEPTING THE BID OF B. J. ROMMEL FOR CONSTRUCTION OF ADDITIONS TO FIRE STATION NO. 5

WHEREAS, Resolution No. 73-111 , adopted by the Council of the City of Modesto on January 22, 1973 , approved the plans and specifications for the construction of additions to Fire Station No. 5

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of additions to Fire Station No. 5
were opened at 10:00 A.M. on February 13, 1973 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. J. Rommel in the amount of $124,890

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. J. Rommel in the amount of $124,890

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 February, 19 73 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: Pauline P Stanley
XXXXXXXXXXXXXX City Clerk
PAULINE P. STANLEY, Acting

MODESTO CITY COUNCIL
RESOLUTION NO. 73-161

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $90,000 TO PROVIDE FUNDS NEEDED FOR CONSTRUCTION OF FIRE STATION NO. 5

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (60-321)	$90,000
TO:	Fire Station No. 5 Construction Addition (6130-41-321)	$90,000

(To provide funding for construction of fire station No. 5. Reference is made to memorandum from Director of Public Works to City Manager dated November 22, 1972.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: Pauline P. Stanley
City Clerk
PAULINE P. STANLEY, Acting

MODESTO CITY COUNCIL
RESOLUTION NO. 73-162

A RESOLUTION AUTHORIZING A TRANSFER FROM THE REVENUE SHARING FUND (FUND NO. 611) TO THE SPECIAL FUND FOR CAPITAL OUTLAYS (FUND NO. 321) FOR EXPANSION OF FIRE STATION NO. 5.

WHEREAS, the City Council of the City of Modesto has approved the expansion of Fire Station No. 5 as part of the City of Modesto's Capital Improvement Program, and

WHEREAS, the City Council agreed by motion on December 4, 1972, to finance part of said expansion of Fire Station No. 5 with $114,000.00 from Revenue Sharing allocations, and

WHEREAS, the Council is authorized to transfer monies from the Revenue Sharing Fund (Fund No. 611) to other City of Modesto funds to finance qualified projects as needed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an amount of $114,000.00 is authorized to be transferred from the Revenue Sharing Fund (Fund No. 611) to the Special Fund for Capital Outlays (Fund No. 321) and appropriated in the account Fire Station No. 5 Construction Addition (Account No. 6130).

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution in accordance with generally accepted accounting standards.

The Foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-163

A RESOLUTION APPROVING A REVISED DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(83). (MODESTO AFFILIATED CHURCH HOUSING CORPORATION)

WHEREAS, the Modesto City Council on February 16, 1971, by Ordinance No. 1082-C.S., rezoned the property located at the northerly corner of 17th and I Streets from R-3 to P-D(83) to permit construction of an eleven-story, two hundred (200) dwelling unit retirement center, and

WHEREAS, the Planning Commission on November 2, 1971, granted a time extension to extend the date of commencement of construction from December 15, 1971, to December 15, 1972, and

WHEREAS, the Council on December 22, 1971, by Ordinance No. 1166-C.S., approved an amendment to P-D(83) to allow an interim use of the existing church building and facilities, and

WHEREAS, the Council on July 24, 1972, by Ordinance No. 1217-C.S., approved a revision to P-D(83) to add additional land on the north side of Downey Avenue to be used for off-street parking purposes, and

WHEREAS, the Planning Commission on November 7, 1972, granted a time extension requiring that the project be commenced on or before June 15, 1973, and be completed not later than December 15, 1974, and

WHEREAS, the Modesto Affiliated Church Housing Corporation on November 15, 1972, filed an application to further amend P-D(83), as described below, to allow a revised site plan incorporating a larger building setback from 17th Street, a larger open space at ground level, deletion of the roof garden and a reduction in the number of dwelling units and in the number of off-street parking spaces:

Parcel No. 1

All that portion of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, being more particularly described as follows: Lots 17 through 24 inclusive in Block 131 of the City of Modesto, of Stanislaus County, State of California.

Including also the northeasterly 40 feet of 17th Street, the northwesterly 50 feet of I Street, all being immediately adjacent to the above described property.

Parcel No. 2

The southerly 10.02 feet of Lots 29, 30, 31 and 32; the southerly 10.02 feet of the easterly 4 feet of Lot 33; all in Block 568, City of Modesto, according to the official map thereof filed in the office of the Recorder of Stanislaus County, State of California, on December 21, 1942.

The easterly 22 feet of Lot 18; all of Lots 19 and 20; the westerly 13 feet of Lot 21; all in Block 568, City of Modesto, according to the official map thereof filed in the office of the Recorder of Stanislaus County, State of California, on December 21, 1942, and

WHEREAS, after a public hearing held on December 19, 1972, it was found and determined by the Planning Commission, by Resolution No. 72-171, that a revision to the adopted P-D Zone as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The revised plan provides for a larger amd more desirable building setback from 17th Street thereby reducing the impact of the structure on the neighborhood.

2. The revised plan provides for additional open space around the structure at ground level; this ground level open space will be more usable than a larger roof garden formerly proposed.

3. The same ratio of off-street parking spaces to dwelling units as originally proposed (0.3 to 1) would be retained. Although the parking spaces are to be reduced to a total of fifty-four (54), the dwelling units are being reduced from two hundred (200) to one hundred eighty (180), and

WHEREAS, a public hearing was held on December 19, 1972, and was continued to January 2, 1973, to enable the Modesto Affiliated Church Housing Corporation to file an Environmental Impact Report to be considered at said continued public hearing, and

WHEREAS, after said public hearing held on January 22, 1973, and February 20, 1973, the Council found and determined that the application of Modesto Affiliated Church Housing Corporation to amend P-D(83), as hereinabove described, to allow a revised site plan incorporating a larger building setback from 17th Street, a larger open space at ground level, deletion of the roof garden and a reduction in the number of dwelling units and in the number of off-street parking spaces should be

granted as consonant with public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 72-171 and as quoted above, and

WHEREAS, the Council has introduced Ordinance No. 1255 -C.S. on the 20th day of February, 1973, amending Section 2 of Ordinance No. 1082-C.S. as amended by Ordinance No. 1217-C.S.

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

SECTION 1. DEVELOPMENT PLAN. The revised development plan for Planned-Development Zone, P-D(83) entitled, "Ralston Tower", dated December 19, 1972, be approved as amended in red on its face and on file in the office of the Planning Director of the City of Modesto, subject to the following conditions:

1. That all development be in accordance with the plan referred to above.

2. That the developer shall install street lights to City of Modesto subdivision standards along the street frontagesof the parcel and submit street light improvement plans to the City of Modesto Public Works Department for approval by the City Engineer.

3. That prior to issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Director of Planning and the Director of Parks and Recreation. The landscaping and irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system.

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

5. That all parking and driveway areas shall be approved in accordance with the provisions of Sections 10-2.1801, 10-2.1804 and 10-2.1808 of the Municipal Code. Drainage facilities shall be constructed in accordance with the requirements of the Director of Public Works.

6. That prior to the issuance of a building permit, the applicant shall submit five (5) copies each of six (6) plot plans: The site plot plan at 1/16" = 1'; three (3) plot plans of the residential structure at 1/8" = 1', specifically the ground floor

plan, typical floor plan and roof plan; and two (2) plot plans of the off-street parking facilities at 1/8" = 1', specifically the subterranean plan and surface plans. Said plot plans shall show the exact location and dimensions of proposed buildings, landscaped areas and parking areas.

7. That all required street lights shall be installed or security posted prior to the issuance of a building permit.

8. That prior to the issuance of a building permit, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit in the amount to be determined by the City Engineer, may be filed with the City Clerk to guarantee installation of required street lights by January 1, 1975, or prior to occupancy of the structure, whichever occurs first.

9. That any sign to be erected as part of this Planned-Development Zone shall be governed by that part of the Zoning Ordinance pertaining to the Multiple-Family Residential (R-3) Zone.

10. That this development shall be designed specifically for occupancy by the elderly with occupancy limited to persons sixty-two (62) years of age and older, their spouses and persons who are physically handicapped.

11. That prior to the issuance of a building permit, the developer shall install two (2) fire hydrants in accordance with the requirements and to the specifications of the Fire Chief and the Director of Public Works.

12. That at least one elevator in the structure shall have an emergency over-ride circuit for Fire Department use.

13. That at least two (2) stairway shafts shall extend from the first floor through the roof to provide for ventilation of the building for fire fighting purposes.

14. That a U. L. listed heat and smoke detection system to be connected to the Municipal Fire Alarm Circuit shall be provided throughout the structure.

15. An automatic sprinkler system shall be installed throughout the entire building. The installation shall comply with the minimum standards contained in the Uniform Building Code and Uniform Building Code Standard No. 38-1. The system shall provide for the transmission of a coded signal to the municipal fire alarm center any time there is a change in the static condition or the control valves.

16. That a minimum of twenty (20) off-street parking spaces be designated for staff and visitor parking only and shall not be allocated as permanent parking for residents.

17. That prior to the issuance of a building permit, an agreement shall be entered into between the applicant and the City of Modesto regarding the development and maintenance of the two (2) adjacent City parks for use by residents of the subject project and the public in general.

18. That the permitted beauty shop and gift shop be oriented by design to serve only the residents and visitors of the subject housing complex and that there be no exterior signing regarding these nonresidential uses.

20. That prior to the occupancy of the retirement center, the applicant shall pay to the City of Modesto up to Ten Thousand and no/100ths ($10,000.00) Dollars of the cost of construction of a pedestrian actuated traffic signal to be located on Downey Avenue between I and J Streets at an exact location to be determined by the Director of Parking and Traffic.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(83):

That construction shall commence on or before February 1, 1974, and be completed not later than August 1, 1975.

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 and in strict adherence to the provisions of Article 27 of

of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. ENVIRONMENTAL IMPACT REPORT. The Council hereby delcares that in making the foregoing approval, it has received and considered the Environmental Impact Report referred to above.

SECTION 6. EFFECTIVE DATE. This resolution shall not become effective unless and until Ordinance No. 1255 -C.S. becomes effective.

The foregoing reesolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By Charles Nichols
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-164

A RESOLUTION ORDERING AN ORDINANCE PETITIONED FOR BY AN INITIATIVE PETITION SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF MODESTO ON APRIL 17, 1973.

WHEREAS, on January 26, 1973, an initiative petition was filed with the City Clerk of the City of Modesto requesting that a proposed ordinance entitled "AN ORDINANCE TO BE REFERRED TO AND KNOWN AS THE MODESTO ENVIRONMENTAL QUALITY ACT" be passed without alteration by this Council or be submitted to a vote of the people at the regular municipal election on April 17, 1973, and

WHEREAS, the City Clerk of the City of Modesto has examined said initiative petition and by a certificate dated February 12, 1973, has certified that said petition is signed by not less than ten (10%) percent of the voters of the City according to the County Clerk's last official report of registration to the Secretary of State, and

WHEREAS, the City Clerk has presented said petition and certificate to this Council at the regular meeting thereof on February 20, 1973, and

WHEREAS, Section 4012 of the Elections Code of the State of California requires this Council to either pass said ordinance without change or submit said ordinance to a vote of the voters of the City of Modesto at the General Municipal Election to be held on April 17, 1973, and

WHEREAS, this Council has not passed said ordinance without change,

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

SECTION 1. The Council of the City of Modesto does hereby submit to the qualified electors of the City of Modesto at the General Municipal Election to be held in said City of Modesto on April 17, 1973, said proposed ordinance, which reads as follows:

AN ORDINANCE TO BE REFERRED TO AND KNOWN AS THE MODESTO ENVIRONMENTAL QUALITY ACT

THE PEOPLE OF THE CITY OF MODESTO DO ORDAIN AS FOLLOWS:

SECTION 1 - DECLARATION OF POLICY

(a) We, the People of the City of Modesto, recognize and acknowledge our dependance upon the land and hereby accept our obligation to use the land, and otherwise provide for the protection of the environment, in a manner which will sustain and benefit man and all other living things.

(b) The purpose of this initiative act by the People of the City of Modesto are: To declare a civic policy which recognizes the unique and irreplacable agricultural nature of the lands in and around the City of Modesto; to facilitate the protection and highest and best use of such lands; to encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and stimulate the health and welfare of the citizens of this community; to enrich our understanding of our ecological systems and natural resources; and to provide direction to our governmental agencies.

(c) The People of the City of Modesto, in recognition of the impact of man's activity on all components of the environment, particularly the influences of population growth, urbanization and industrial expansion, and in further recognition of the threat of such influences to the essential, natural character of the City of Modesto, its resources and its environs, declare as follows:

(1) Much of the land in and around the City of Modesto is prime agricultural land and, as such, constitutes an irreplacable natural resource;

(2) Such land has been improperly utilized and encroached upon without proper regard to its ultimate value, and highest and best use, which is as agricultural land;

(3) Maintenance of the predominant character of Modesto as an agricultural, rural and recreational center is in the best long-term interests of the People of Modesto;

(4) Population growth, urban sprawl and industrial expansion, without complete and proper planning and consideration of the effects on lands, and of all other environmental effects, are inconsistent with the character of the City of Modesto and are to be discouraged.

SECTION 2 - IMPLEMENTATION

(a) In addition to the matters set forth in section (1c), the following factors shall be expressly considered and followed by the City Council and all other agencies of the City of Modesto, in adopting ordinances or otherwise acting as empowered in any manner; in authorizing the expenditure of funds or the provision of services of any kind; in enacting zoning ordinances, allowing variances, approving subdivision maps, or otherwise exercising discretion over land use; in authorizing projects of any kind, whether public or private, involving land use; in planning further development in or expansion of the City of Modesto; and in developing and adopting a conservation element for the General Plan of the City of Modesto:

(1) Land in the City of Modesto, or hereafter brought within the limits of the City of Modesto, which is or may be properly zoned as prime agricultural land, shall be used for no other purpose, unless written findings are made by the City Council and all concerned subordinate agencies, with reasons therefor, that another use is in the best long-term interests of the People of Modesto and required to protect the health, safety and welfare of the People.

(2) All agencies of the City of Modesto which regulate any activities which may affect the quality of the environment shall regulate such activities so that major consideration is given to preventing environmental damage;

(3) All necessary action shall be taken to ensure that the long-term protection of the environment shall be the guiding criterion in public decision making;

(4) No project shall be approved by any city agency if the environmental impact report prepared pursuant to the California Environmental Quality Act of 1970 discloses that such project will have a significant adverse effect on the environment, unless each approving agency finds all of the following in writing with reasons therefor:

(a) There is no reasonable alternative to such project.
(b) The project will be undertaken in such a manner as to mitigate its adverse effect on the environment to the extent it is possible to do so.
(c) The public benefits to be derived from such action significantly outweigh its adverse effect on the environment.

(b) "Significant effect on the environment" includes those effects which change the basic character of land from prime agricultural land to other uses or which have the potential to degrade the quality of the environment, curtail the range of the environment, and serve short-term to the disadvantage of long-term environmental goals. Significant effects can be both beneficial and detrimental, even if, on balance, a city agency believes that the effect will be beneficial. Significant effect on the environment may include effects which are individually limited, but cumulatively considerable, and may also include both those that directly affect human beings and those that indirectly affect human beings through their effects on the environment.

(c) Any approvals, authorizations, guidelines, plans or criteria made or adopted by the City of Modesto or any of its agencies, pursuant to any state or federal law, including the California Environmental Quality Act of 1970, and amendments thereto, shall, to the extent permitted by such state or federal law, be consistent with the provisions of section 1(a), (b), and (c) and section 2(a) and (b) hereof. Any approvals, authorizations, guidelines, plans, or criteria otherwise made or adopted by the City of Modesto or any of its agencies, inconsistent with the provisions of Section 1(a), (b), and (c), and section 2(a) and (b) hereof shall be null and void and without effect.

(d) If any provision of this ordinance or its application to any person or circumstance is invalid, the invalidity of the provision or application shall not affect any other provision or its application to any person or circumstance which can be given effect without the invalid provision or application.

(e) The City Council, or any city agency it designates, shall, within 120 days after the enactment of this ordinance, develop initial guidelines for its application by city agencies, and define those terms herein which, in the judgment of the City Council or such designated agency requires definition.

1. At least one public hearing shall be held by the City Council to consider such initial guidelines and definitions within 30 days after they are developed.

2. Final guidelines and definitions shall be adopted by the City Council within 30 days after such public hearings.

SECTION 2. The form of the measure to be used on the ballots and voting machines, including the title and designation of the measure, shall be as follows:

Measure A City of Modesto Initiative Ordinance	Shall the ordinance entitled "An Ordinance to be Referred to as the Modesto Environmental Quality Act" be adopted"?	YES NO	

SECTION 3. (a) On the ballots and voting machines to be used at said General Municipal Election, in addition to all other matters required by law to be printed thereon, shall appear the measure set forth in Section 2 hereof.

(b) Where ballots are used, to vote in favor of said proposed ordinance, a voter shall stamp a cross (X) in the blank space opposite the word "YES" on the ballot to the right of said measure, and to vote against said proposed ordinance, a voter shall stamp a cross (X) in the blank space opposite the word "NO" on the ballot to the right of said measure.

Where voting machines are used, said voting machines shall be so arranged that to vote in favor of said proposed ordinance a voter shall pull down a voting pointer over the word "YES" near said measure appearing on cardboard, paper or other material placed on the front of the machine, and pull an operating lever, and to vote against said proposed ordinance, a voter shall pull down a voting pointer over the word "NO" near said measure appearing on cardboard, paper or other material placed on the front of the machine, and pull an operating lever.

The votes cast for and against said measure shall be counted separate and apart from all other measures to be submitted at said General Municipal Election, and if a majority of the qualified voters voting on said measure vote in favor thereof, said proposed ordinance shall become a valid and binding ordinance of the City of Modesto.

SECTION 4. The City Clerk of the City of Modesto is hereby authorized and directed to cause the proposed ordinance to be printed and to cause copies thereof along with an argument for and an argument against the proposed ordinance to be mailed to each of the qualified electors of said City, at least ten (10) days prior to said General Municipal Election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P Stanley
PAULINE P. STANLEY, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-165

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. BLAQUE HASTON AND ACCEPTING EASEMENT DEED (Construction of Sonoma Storm Drain)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mr. and Mrs. Blaque Haston for the construction of the Sonoma neighborhood storm drain is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY, Acting
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 166

A RESOLUTION AUTHORIZING APPLICATION FOR GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR COMPREHENSIVE PLANNING ASSISTANCE FUNDS.

WHEREAS, the U. S. Department of Housing and Urban Development has funds available for comprehensive planning assistance, and

WHEREAS, the City of Modesto wishes to continue to maintain a high degree of urban services and to increase its comprehensive planning capabilities for the purpose of assuring stable and quality growth,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager be authorized to file the appropriate application with the U. S. Department of Housing and Urban Development for comprehensive planning assistance funds and to give assurance that the one-quarter share of City matching funds and services will be committed to the project.

BE IT FURTHER RESOLVED that it is the intent of the City of Modesto to comply with all requirements for equal opportunity employment.

BE IT FURTHER RESOLVED that the City of Modesto reaffirms its commitment to an Affirmative Action Program.

BE IT FURTHER RESOLVED that the purpose of applying for said grant is to meet commitments to the citizens of Modesto for fair and equitable housing programs, quality land use management and adequate transportation planning.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: Pauline P. Stanley
~~XXXXXXXXXXXXXXXXXX~~ City Clerk
PAULINE P. STANLEY, Acting

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-167

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. W. BAUCHE AND ACCEPTING GRANT DEED FOR LAND ACQUISITION - REVARD MANOR PARK SITE (Standiford Park No. 2 Land Acquisition)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mr. and Mrs. Wesley W. Bauche for land acquisition - Revard Manor Park Site ($2,925 + any parcel map costs involved in splitting the property) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement and acceptance of Grant Deed 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 February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: Pauline P. Stanley
XXXXXXXXXXXXXXXX, City Clerk
PAULINE P. STANLEY, Acting

MODESTO CITY COUNCIL
RESOLUTION NO. 73-168

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND R. B. WELTY AND ASSOCIATES FOR ENGINEERING SERVICES PERTAINING TO THE CONSTRUCTION OF DEL WEBB FIELD SHOWER, DRESSING ROOM, AND REST ROOM FACILITIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and R. B. Welty and Associates for engineering services pertaining to the construction of Del Webb Field shower, dressing room and rest room 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 20th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: Pauline P. Stanley
City Clerk
PAULINE P. STANLEY, Acting

MODESTO CITY COUNCIL
RESOLUTION NO. 73-169

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 11-3-8 OF THE ZONING MAP (Ernest W. Hahn, Inc.)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 7, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 11-3-8 of the Zoning Map to prezone to Planned Development Zone, P-D, to allow construction of a regional shopping center, property located on the west side of Dale Road north of MID Lateral #7
the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-21 recommending to the Council thatprezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 11-3-8 of the Zoning Map be set for March 12, 1973 at 7:35 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposedprezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilmen Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: Pauline P. Stanley
XWXXTXXEHXNEWETHXXCity Clerk
PAULINE P. STANLEY, Acting

All that portion of Section 11, Township 3 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, California, according to the official plat thereof, and portions of Lots 5 and 6 of the McKinney Colony, Stanislaus County, California, according to the official map thereof, filed in the office of the Recorder of Stanislaus County, California, on November 21, 1903, in Volume 1 of Maps at page 57, described as follows:

Beginning at the Southeast corner of the Northeast Quarter of said Section 11, thence "NORTH" along the East line of said Section 11 as shown on a Record of Survey filed in Volume 9 at page 32, Record of Surveys, Stanislaus County Records, 555.58 feet; thence South 89° 44' 46" West, parallel with the North line of said Section 11, a distance of 2100.00 feet; thence South 14° 44' 46" West 640.00 feet; thence South 41° 40' 50" West 387.88 feet to a point on the Westerly right of way line of property conveyed to the State of California by deed recorded September 26, 1972, in Book 2500, page 492 of Official Records of said County, as Instrument No. 12942; thence Southeasterly along said right of way line through the following described courses.

1) South 48° 19' 10" East 483.32 feet;

2) thence Southeasterly along a tangent curve concave to the Northeast and having a radius of 1970.00 feet through a central angle of 4° 10' 40" an arc distance of 143.64 feet to a point on the Westerly right of way line of property conveyed to the State of California by deed recorded September 6, 1956, in Book 1383, page 616, Official Records of said County, as Instrument no. 24364; a radial line at said point bears South 37° 30' 10" West;

thence continuing Southeasterly along said last described 1970.00 foot radius curve through a central angle of 21° 18' 56" an arc distance of 732.89 feet to a point of tangency; thence South 73° 48' 46" East 652.32 feet; thence Southeasterly along a tangent curve concave to the Southwest and having a radius of 1110.00 feet through a central angle of 6° 56' 38" an arc distance of 134.53 feet to a point on the South line of said Lot 5, a radial line at said point bears North 23° 07' 52" East; thence North 89° 22' 52" East along the South line of said Lot 5 a distance of 645.99 feet to a point on the East line of said Section 11, said point being "SOUTH" along the East line of said Section 11, a distance of 1324.42 feet from said Southeast corner of the Northeast Quarter of said Section 11; thence "NORTH" along the East line of Section 11 a distance of 1324.42 feet to the point of beginning.

The above described parcel contains 87.44 acres more or less.

HAHN 11-3-8

EXHIBIT "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 73-170

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,500 TO PROVIDE FUNDS NEEDED FOR AIRPORT SECURITY SERVICE

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

AIRPORT FUND (230)

FROM:	General Reserve (60-46-230)	$1,500
TO:	Airport Security Service (233-46-230)	$1,500

(To provide funds for Police time spent at Airport. Re: Director of Finance memo of January 31, 1973)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: Pauline P. Stanley
City Clerk
PAULINE P. STANLEY, Acting

MODESTO CITY COUNCIL
RESOLUTION NO. 73-171

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $50,000 TO PROVIDE FUNDS NEEDED FOR WATER LINE EXTENSIONS IN SUBDIVISIONS

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$50,000
TO:	Water Line Extensions (6804-50-101)	$50,000

(Subdivision development has been of such magnitude water line extension funds have been depleted and additional funds are needed to provide for water line extensions in subdivisions)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: Pauline P. Stanley
~~XXXXXXXXXXXX~~, City Clerk
PAULINE P. STANLEY, Acting

MODESTO CITY COUNCIL
RESOLUTION NO. 73-172

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL REQUIREMENTS OF LIQUID ANHYDROUS AMMONIA

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

SECTION 1. The plans and specifications for ANNUAL requirements of liquid anhydrous ammonia 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 13, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-173

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL REQUIREMENTS OF LIQUID AMMONIUM PHOSPHATE

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

SECTION 1. The plans and specifications for annual requirements of liquid ammonium phosphate

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 13, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-174

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR INSTALLATION OF WATER-LINES IN DAISY PARK NO. 2 SUBDIVISION

WHEREAS, Resolution No. 73-113 , adopted by the Council of the City of Modesto on February 5, 1973 , approved the plans and specifications for the installation of waterlines in Daisy Park No. 2 Subdivision

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Daisy Park No. 2 Subdivision

were opened at 10:05 A.M. on February 20, 1973 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 Joe Martin in the amount of $10,212.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $10,212.00

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 26th day of February, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-175

A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS BEEN MADE AGAINST THE ANNEXATION OF CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS EAST COOLIDGE NO. 2 ADDITION.

WHEREAS, by Resolution No. 73-121, adopted on February 5, 1973, the Council declared its intention to call a special election for the purpose of submitting to the electors residing within the hereinafter described territory the question whether or not said described territory should be annexed to said City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, and

WHEREAS, by said Resolution No. 73-121, the Council fixed the 26th day of February, 1973, at the hour of 7:35 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 annexation, and

WHEREAS, said hearing of protests against said annexation was held at said time and place, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 73-121 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto, as required by Section 35119 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and owners of over one-half of the value of the territory proposed to be annexed have filed written protests against the annexation prior to the hour set for hearing objections to the election,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and declares that a majority protest against the proposed annexation of said East Coolidge No. 2 Addition has been made.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

EAST COOLIDGE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being portions of the Southwest quarter of Section 15 and the Northwest quarter of Section 22, 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 MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, said point being the section corner common to Sections 15, 16, 21, and 22; thence along the existing City Limits on the line common to Sections 15 and 22, North 89° 48' 45" East, 1311.46 feet, to the Southeast corner of said ADDITION (261); thence along the existing City Limits, North 00° 52' 30" West, 80.05 feet, to the Southwest corner of the ROSE ACRES NO. 5 ADDITION (295), as per description filed August 15, 1972, as Instrument 6329, Stanislaus County Records; thence along the existing City Limits on the Southern boundary of said ADDITION (295), North 89° 56'05" East, 1311.55 feet, to the existing City Limits on the Western boundary of the ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records; thence along the existing City Limits on the Western boundary of said ADDITION (230), South 00° 38' 15" East, 77.20 feet, to the Northwest corner of the ROSE ACRES NO. 3 ADDITION (225), as per description filed January 24, 1969, as Instrument 2734, Stanislaus County Records; thence along the existing City Limits on the Western boundary of said Addition (225), South 00° 38' 15" East, 643.83 feet, to the Northwest corner of the KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records; thence along the existing City Limits on the Western boundary of said ADDITION (179) South 00° 38' 15" East, 349.28 feet, to the Northeast corner of the EAST ORANGEBURG NO. 5 ADDITION (271), as per description filed June 22, 1971, as Instrument 23063, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said ADDITION (271), South 89° 51' 45" West, 1308.12 feet, to the Northeast corner of the EAST ORANGEBURG NO. 4 ADDITION (270), as per description filed May 24, 1971, as Instrument 18983, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said ADDITION (270), South 89° 51' 45" West, 1310.30 feet, to the Northwest corner of said ADDITION (270) and the Eastern boundary of the MEMORIAL HOSPITAL NORTH ADDITION (261); thence along the existing City Limits on the Eastern boundary of said ADDITION (261), North 00° 53' 00" West, 990.77 feet, to the point of beginning, containing 62.036 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-176

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(108). (JOHN G. ALVARADO P-D NORWEGIAN & SUNRISE)

WHEREAS, a verified application for an amendment to Section 16-3-9 of the Zoning Map was filed by John G. Alvarado on December 19, 1972, to prezone to Planned Development Zone, P-PD, the following described property:

All that portion of Section 16, Township 3 South, Range 9 East of the Mount Diablo Base and Meridian described as follows:

Beginning at the point of intersection of the centerline of Norwegian Avenue with the centerline of Sunrise Avenue; thence Westerly along the centerline of Norwegian to the point of intersection with the centerline of Eldena Way; thence Southerly along the centerline of Eldena Way and the Southerly extension thereof to the point of intersection the North line of Briggsmore Avenue; thence Southeasterly along the North line of Briggsmore Avenue to the point of intersection with the centerline of Sunrise Avenue; thence Northerly along the centerline of Sunrise to the point of intersection with the centerline of Norwegian Avenue, being the point of beginning.

WHEREAS, after public hearing held on January 16, 1973, it was found and determined by the Planning Commission that prezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The subject property fronts on collector streets, allowing easy access to service centers via the Briggsmore expressway.

2. The requested P-D zoning would be in accordance with the planning policy for locating low to medium density apartment zoning as established by the City Planning Commission.

3. The subject property under a P-D zone would allow a good neighborhood mix and transition to adjoining R-1 zoning as called for in the General Plan.

WHEREAS, after a public hearing held on February 26, 19 73, the Council found and determined that the application of John G. Alvarado 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. 1258 -C.S. on the 26th day of February, 19 73, prezoning the above-described property to Planned Development Zone, P-PD(108).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(108), is hereby approved in accordance with the plan titled "Site Plan, Proposed 100-Unit Apartments Sunrise & Norwegian, Modesto, California", dated January 16, 19 73, which said plan is on file in the office of the Planning Director, subject to the following conditions:

1. That all development be in accordance with the plan referred to above.

2. That all parking and driveway areas be improved in accordance with the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.

3. Prior to the issuance of a building permit, the developer shall make the following street dedications:
   a) Dedicate 30 feet of right-of-way for the widening of Eldena Way plus a 40-foot radius cul-de-sac at the south end in accordance with the specifications of the Director of Public Works.
   b) Dedication of 10 feet of right-of-way along the Sunrise Avenue and Norwegian Avenue frontages.
   c) Dedication of public utility easements along Norwegian, Sunrise, and Eldena Way.

   Prior to the issuance of a building permit, the developer shall submit street improvement plans prepared by a registered Civil Engineer for approval by the City Engineer.

4. That the developer shall provide all street improvements as follows:
   a) Eldena Way - full street improvements including concrete sidewalk and street lights.
   b) The Sunrise and Norwegian Avenue frontages shall be improved to City standards, including matching pavement, curb, gutter, concrete sidewalk, street lights, and drainage facilities.

5. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Director of Planning and the Director of Parks and Recreation. The landscaping and irrigation systems shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system.

6. That all landscaping, fences, and walls be maintained and that the premises be kept free of weeds, trash, and other debris.

7. That prior to the issuance of the building permit, the developer shall submit a plan of all fire hydrants and the pipeline system therefor for approval by the Fire Chief. The developer shall install two fire hydrants and the pipeline system as required by the Fire Chief.

8. That any sign accessory to this development shall comply with the R-2 Zone sign provisions.

9. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting 62 street trees.

10. That prior to the issuance of a building permit, the applicant shall submit for approval by the Planning Director, 5 copies of a revised plot plan showing all the required changes and adjustments in design and the limitations set on the development as shown on the plot plan and amended in red and on file in the office of the Planning Director.

11. That all public improvements, including fire hydrants, shall be installed prior to occupancy of the premises or by January 31, 1976, whichever occurs first.

12. Prior to the issuance of a building permit, if all required public improvements have not been installed, a cash deposit, savings and loan certificate, surety bond or other instrument of credit in an amount to be determined by the City Engineer shall be filed with the City Clerk to guarantee installation of public improvements, including fire hydrants, by January 31, 1976, or prior to occupancy, whichever occurs first.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(108):

That the entire construction program be accomplished in one phase, construction to begin on or before January 31, 1975, and be completed not later than January 31, 1976.

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 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 prezoning the above-described property to Planned Development Zone, P-PD(108) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Priddy
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-177

A RESOLUTION GRANTING A TEMPORARY ENCROACHMENT PERMIT TO A. J. WURSTER TO MAINTAIN AN EXISTING LOW CHAIN LINK FENCE WITHIN THE PUBLIC RIGHT OF WAY AT 1604 FAIRINGTON LANE

WHEREAS, A. J. Wurster has filed a request with the Council of the City of Modesto for permission to allow an existing low chain link fence to remain in the public right of way at 1604 Fairington Lane; and

WHEREAS, February 26, 1973 at 7:45 P.M. was set as the time and place for consideration of the request; and

WHEREAS, the low chain link fence was constructed within the public right of way without benefit of an encroachment permit; and

WHEREAS, the Director of Public Works in a memorandum dated February 7, 1973, 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 as follows:

SECTION 1. A temporary encroachment permit, revocable upon demand of the City of Modesto, is hereby granted to said applicant to allow an existing low chain link fence to remain in the public right of way at 1604 Fairington Lane.

SECTION 2. Said revocable encroachment permit is granted subject to the conditions set forth herein, which condition permittee agrees, by acceptance of this permit, to faithfully perform:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee shall file a copy of policy or certificate of insurance with the City Clerk as required by Section 7-1.109 of the Municipal Code for all encroachments in the public right of way.

(c) Permittee shall relocate the fence out of the public right of way at such time as demanded by the City of Modesto.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have ten (10) days from and after the adoption of this resolution within which to file written acceptance of this permit 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 26th day of February, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-178

A RESOLUTION APPROVING PURCHASE/AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. J. C. COOPER AND ACCEPTING GRANT DEED FOR LAND ACQUISITION - SENIOR CITIZENS CENTER PARKING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the purchase/agreement between the City of Modesto and Mr. J. C. Cooper for land acquisition - Senior Citizens Center Parking ($12,250 + $500 as compensation for expenses incurred by grantor in removing personal property from the parcel) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said purchase/agreement and acceptance of Grant Deed 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 February, 19 73, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-179

A RESOLUTION APPROVING LEASE AGREEMENTS FOR LEASING TIE-DOWN AND T-HANGAR SPACES AT THE MODESTO CITY COUNTY AIRPORT, AND AUTHORIZING THE AIRPORT MANAGER TO EXECUTE SAID AGREEMENTS ON BEHALF OF CITY.

WHEREAS, the Council of the City of Modesto has established a procedure whereby lease agreements for year-to-year and month-to-month tenancies may be entered into for the leasing of tie-down and T-hangar spaces at the Modesto City-County Airport, and

WHEREAS, revised forms of agreements have been prepared for this purpose and it is proposed that the agreements be signed on behalf of the City of Modesto by its Airport Manager,

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

1. The revised lease agreement forms proposed to be used for year-to-year and month-to-month tenancies for the purpose of leasing tie-down and T-hangar spaces at the Modesto City-County Airport are hereby approved. Copies of the lease agreements referred to herein are attached hereto marked Exhibit "A" and Exhibit "B" and made a part hereof as though set forth in full herein.

2. The City's Airport Manager is hereby authorized to execute said lease agreements, for and on behalf of the City of Modesto, for leasing tie-down and T-hangar spaces at the Modesto City-County Airport.

BE IT FURTHER RESOLVED that Resolution No. 70-205 adopted by the City Council on March 9, 1970, and Resolution No. 70-1173 adopted by the City Council on November 23, 1970, are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

(SEAL)

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

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

ANNUAL

LEASE AGREEMENT
(Tie-Down or T-Hangar Spaces)

This Lease Agreement, made and entered into in the City of Modesto, County of Stanislaus, State of California, as of this _____ day of _____, 19 ___, by and between the CITY OF MODESTO, a municipal corporation of the State of California, hereinafter called CITY, and _____, hereinafter called LESSEE,

W I T N E S S E T H:

That for and in consideration of the covenants, conditions, agreements and stipulations hereinafter expressed, CITY does hereby demise and lease unto LESSEE, and LESSEE hereby hires from CITY, those certain premises situated at the Modesto City-County Airport in the City of Modesto, County of Stanislaus, State of California, known as _____, No. _____, on a year-to-year tenancy commencing on the _____ day of _____, 19 ___, for a rental payment of _____ ($_____) Dollars per month lawful money of the United States of America, less five (5%) percent discount for annual payment, in advance, to the Director of Finance, City of Modesto, City Hall, Modesto, California, or P.O. Box 642, Modesto, California.

In addition thereto the parties hereby mutually agree as follows:

1. USE: That said premises shall not be used by the LESSEE during the term of this lease for other than storage of aircraft purposes except with the written consent of CITY.

2. REGULATIONS: LESSEE acknowledges receipt of a copy of the Modesto Municipal Code Airport Regulations and agrees to abide by the Code as written. A copy of the regulations herein referred to is attached hereto, marked Exhibit "A" and made a part hereof as though set forth in full herein.

3. ASSIGNMENT: LESSEE shall not assign this lease nor any right hereunder, nor sublet the premises, nor any part thereof, nor suffer any other person to occupy or use the said premises or any portion thereof. In the event of a breach of this condition, CITY shall have the power to immediately declare this lease agreement terminated and will thereupon be entitled to take immediate possession of the premises.

4. INSURANCE: CITY will keep the premises insured against fire and other insurable risks covered within its blanket policy, provided, however, that LESSEE waives the right to claim damages from CITY for any damage resulting to any personal property in or upon the premises in the event damage results from fire or any other cause. LESSEE agrees to provide insurance in the amounts set forth in Sections 7-3.108 and 7-3.108.1 of the Modesto Municipal Code, and to file a certificate evidencing such coverage in the Office of the City Clerk of the City of Modesto.

5. INDEMNIFICATION: LESSEE agrees to indemnify and hold CITY harmless from and against all liabilities or injuries to persons or damage to property caused by LESSEE'S use of, occupancy of, or operation of the demised premises, unless caused by negligence on the part of the city.

6. RIGHT OF ENTRY UPON PREMISES: CITY and its agents and employees shall have the right to enter upon said premises at all reasonable times to inspect the same to determine if LESSEE is performing the covenants of this lease on his part to be performed and to post such reasonable notices as CITY may desire to protect its rights.

7. DEFAULT: If LESSEE makes default in the performance of any of the covenants hereof, CITY at any time thereafter, without notice or demand, may lawfully declare said term ended and re-enter the said premises with or without process of law. The waiver of any breach of any covenant by CITY herein shall not constitute a waiver of any other breach regardless of CITY'S knowledge thereof.

8. TERMINATION: It is agreed between the parties hereto that this lease may be terminated by either party hereto upon giving thirty (30) days' written notice to the other party. If terminated prior to the end of any year's tenancy, CITY shall refund the balance of the year's rental payment, less five (5%) percent discount allowed for annual payment in advance. The Airport Manager is authorized to terminate this lease on behalf of the CITY.

9. FAILURE TO VACATE: LESSEE agrees to vacate said premises within thirty (30) days after receipt of notice so to do from CITY, and failing to vacate as herein provided, agrees that CITY, or its authorized agents, may enter upon said property and remove all personal property therefrom and in this event, LESSEE waives any and all claims for damages against CITY, its

agents or employees. Nothing herein shall be deemed a waiver of any rights of CITY to demand and obtain possession of said premises in accordance with law in the event of a violation on LESSEE'S part of any of the terms or conditions hereof.

10. FEDERALLY REQUIRED NON-DISCRIMINATION: The LESSEE for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby convenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, LESSOR shall have the right to terminate the lease, and to re-enter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

The LESSEE for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby convenant and agree as a convenant running with the land that (1) no person on the grounds of race, color, or national origin shall be excluded from participation, denied the benefits of, or be otherwise subject to discrimination in the use of said facilities. (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person

on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, LESSOR shall have the right to terminate the lease, and to re-enter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

11. TIME OF ESSENCE, BINDING UPON HEIRS, ETC.: Time is of the essence of each and all the terms and provisions of this lease, and the terms and provisions of this lease shall extend to and be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the City of Modesto, a municipal corporation, has authorized the execution of this lease agreement in duplicate by its Airport Manager under authority of Resolution No. _____, adopted by the Council of the City of Modesto on the _____ day of _____, 19_____, and LESSEE has caused this lease agreement to be executed.

CITY OF MODESTO, a municipal corporation,

By_____
AIRPORT MANAGER

_____
LESSEE

LEASE AGREEMENT
(Tie-Down or T-Hangar Spaces)

This Lease Agreement, made and entered into in the City of Modesto, County of Stanislaus, State of California, as of this _____day of _____, 19____, by and between the CITY OF MODESTO, a municipal corporation of the State of California, hereinafter called CITY, and _____ _____, hereinafter called LESSEE,

W I T N E S S E T H:

That for and in consideration of the covenants, conditions, agreements, and stipulations hereinafter expressed, CITY does hereby demise and lease unto LESSEE, and LESSEE hereby hires from CITY, those certain premises situated at the Modesto City-County Airport in the City of Modesto, County of Stanislaus, State of California, known as _____, No. _____, on a month-to-month tenancy commencing on the _____ day of _____, 19____, for a rental payment of _____ _____ ($_____) Dollars per month lawful money of the United States of America, payable each month in advance commencing on the _____ day of _____, 19____, to the Director of Finance, City of Modesto, City Hall, Modesto, California, or P. O. Box 642, Modesto, California.

In addition thereto the parties hereby mutually agree as follows:

1. USE: That said premises shall not be used by the LESSEE during the term of this lease for other than storage of aircraft purposes except with the written consent of CITY.

2. REGULATIONS: LESSEE acknowledges receipt of a copy of the Modesto Municipal Code Airport Regulations and agrees to abide by the Code as written. A copy of the regulations herein referred to is attached hereto, marked Exhibit "A" and made a part hereof as though set forth in full herein.

3. ASSIGNMENT: LESSEE shall not assign this lease nor any right hereunder, nor sublet the premises, nor any part

Exhibit "B"

thereof, nor suffer any other person to occupy or use the said premises or any portion thereof. In the event of a breach of this condition, CITY shall have the power to immediately declare this lease agreement terminated and will thereupon be entitled to take immediate possession of the premises.

4. INSURANCE: CITY will keep the premises insured against fire and other insurable risks covered within its blanket policy, provided, however, that LESSEE waives the right to claim damages from CITY for any damage resulting to any personal property in or upon the premises in the event damage results from fire or any other cause. LESSEE agrees to provide insurance in the amounts set forth in Sections 7-3.108 and 7-3.108.1 of the Modesto Municipal Code, and to file a certificate evidencing such coverage in the Office of the City Clerk of the City of Modesto.

5. INDEMNIFICATION: LESSEE agrees to indemnify and hold CITY harmless from and against all liabilities or injuries to persons or damage to property caused by LESSEE'S use of, occupancy of, or operation of the demised premises, unless caused by negligence on the part of the city.

6. RIGHT OF ENTRY UPON PREMISES: CITY and its agents and employees shall have the right to enter upon said premises at all reasonable times to inspect the same to determine if LESSEE is performing the covenants of this lease on his part to be performed and to post such reasonable notices as CITY may desire to protect its rights.

7. DEFAULT: If LESSEE makes default in the performance of any of the covenants hereof, CITY at any time thereafter, without notice or demand, may lawfully declare said term ended and re-enter the said premises with or without process of law. The waiver of any breach of any covenant by CITY herein shall not constitute a waiver of any other breach regardless of CITY'S knowledge thereof.

8. TERMINATION: It is agreed between the parties hereto that this lease may be terminated by either party hereto upon giving ten (10) days' written notice to the other party. The

Airport Manager is authorized to terminate this lease on behalf of the CITY.

9. FAILURE TO VACATE: LEESEE agrees to vacate said premises within ten (10) days after receipt of notice so to do from CITY, and failing to vacate as herein provided, agrees that CITY, or its authorized agents, may enter upon said property and remove all personal property therefrom and in this event, LESSEE waives any and all claims for damages against CITY, its agents or employees. Nothing herein shall be deemed a waiver of any rights of CITY to demand and obtain possession of said premises in accordance with law in the event of a violation on LESSEE'S part of any of the terms or conditions hereof.

10. FEDERALLY REQUIRED NON-DISCRIMINATION: The LESSEE for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, LESSOR shall have the right to terminate the lease, and to re-enter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

The LESSEE for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person on the grounds of race, color, or

national origin shall be excluded from participation, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities. (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, LESSOR shall have the right to terminate the lease, and to re-enter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

11. TIME OF ESSENCE, BINDING UPON HEIRS, ETC.: Time is of the essence of each and all the terms and provisions of this lease, and the terms and provisions of this lease shall extend to and be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the City of Modesto, a municipal corporation, has authorized the execution of this lease agreement in duplicate by its Airport Manager under authority of Resolution No. _____, adopted by the Council of the City of Modesto on the _____ day of _____, 19____, and LESSEE has caused this lease agreement to be executed.

CITY OF MODESTO, a municipal corporation,

By_____
Airport Manager

_____
LESSEE

MODESTO CITY COUNCIL
RESOLUTION NO. 73-180

A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY OF MODESTO

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said law; and

WHEREAS, one of the steps in the procedure to amend this contract is the adoption by the legislative body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the changes proposed in said contract;and

WHEREAS, the following is a statement of the proposed change:

Retirement allowances to which the annual cost-of-living provisions apply, payable for time commencing on the first day of the calendar month coinciding with or next following the effective date of this amendment to or on account of persons retired or members deceased on or prior to December 31, 1970, are hereby increased by 5%.

WHEREAS, the estimate of the cost of such change for the public agency is set forth in a copy of the valuation report attached hereto, marked "Exhibit A" and by this reference incorporated into the amendment as though therein set out in full.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto, gives, and it hereby gives notice of intention to approve an amendment to the contract between the City Council and the Board of Administration of the Public Employees' Retirement System to accomplish the above change.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM

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

EXHIBIT A

PUBLIC EMPLOYEES' RETIREMENT SYSTEM
ACTUARIAL VALUATION TO DETERMINE COSTS
UNDER SB 135, CHAPTER 1413 (1972)
(5% Increase)

AGENCY NAME: City of Modesto

AGENCY NUMBER: 131

DATE: FEBRUARY 9, 1973

Indicate desired method of funding the liability for the increases with respect to persons retired or members deceased prior to January 1, 1971:

MISCELLANEOUS MEMBERS

LUMP SUM PAYMENT	3 YEARS	5 YEARS	10 YEARS
$ 65393	.63%	.38%	.19%

SAFETY MEMBERS

LUMP SUM PAYMENT	3 YEARS	5 YEARS	10 YEARS
$ 60183	.87%	.52%	.27%

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-181

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTIONS 28-3-9 AND 29-3-9 OF THE ZONING MAP (Bernard E. Good)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 20, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Sections 28-3-9 and 29-3-9 of the zoning map to rezone from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2, property located to the northwest of G Street, southwest of 14th Street the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-28 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Sections 28-3-9 and 29-3-9 of the Zoning Map be set for March 19, 1973 at 4:05 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1973, by Councilmen Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

Lots 5 thru 16 inclusive, and Lots 17 thru 28 inclusive, all in Block 104 of the City of Modesto as filed in the Stanislaus County Records on December 21, 1942, in Volume 15 of Maps. Also: including that portion of the 20 foot alley located between Lots 5 thru 16, and 17 thru 28 inclusive in said Block 104.

Including also the southwesterly 40 feet of 14th Street, the northwesterly 40 feet of "G" Street and the northeasterly 40 feet of 13th Street all being immediately adjacent to the above described property; and

Lots 5 thru 16 inclusive all in Block 95 of the City of Modesto as filed in the Stanislaus County Records on December 21, 1942, in Volume 15 of Maps. Also: including the southwesterly 40 feet of 13th Street and the northwesterly 40 feet of "G" Street all being immediately adjacent to the above described property.

EXHIBIT "A"

Sections 28-3-9 and 29-3-9
(Bernard E. Good)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-182

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTIONS 23-3-9 AND 26-3-9 OF THE ZONING MAP (Steve M. Angelo)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 20, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Sections 23-3-9 and 26-3-9 of the zoning map to rezone from One-Family Residential Zone, R-1, to Planned Development Zone, P-D, for a 1 and 2-story residential condominium and duplex development, property located on the north side of Scenic Dr., east of Sonoma Ave. the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-25 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Sections 23-3-9 and 26-3-9 / of the Zoning Map be set for March 26, 1973 at 7:45 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1973, by Councilmen Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

All that certain real property situate in a portion of Lots 5 and 6, ELBERT TRACT, located in Sections 23 and 26, 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:

Beginning at the quarter section corner common to said Sections 23 and 26, said quarter corner being in the centerline of Sonoma Avenue; thence North 0° 43' 20" West along the North-South quarter section line of said Section 23, and the centerline of said Sonoma Avenue, a distance of 684.17 feet; thence leaving said North-South quarter section line and centerline of Sonoma Avenue the following none (9) courses:

North 89° 16' 40" East 130.00 feet, South 68° 44' 50" East 93.36 feet, North 86° 52' 44" East 185.00 feet, North 81° 57' 33" East 112.86 feet, North 73° 05' 35" East 112.86 feet, North 64° 13' 32" East 112.86 feet, North 59° 47' 34" East 297.89 feet, North 68° 21' 10" East 82.82 feet, North 89° 15' 00" East 255.00 feet to the East line of said Lot 6 of the ELBERT TRACT; thence South 0° 45' East along said East line of Lot 6 a distance of 474.21 feet to the proposed centerline of Scenic Drive as shown on Official Plan Lines, Scenic Drive, recorded in Volume 1, Page 49, of Plan Lines, Instrument Number 30411, Stanislaus County Records; thence South 63° 36' 10" West along said proposed centerline, a distance of 894.00 feet to a tangent curve to the right; thence southwesterly 483.00 feet along said tangent curve, concave to the northwest, having a radius of 1000.00 feet and a central angle of 27° 40' 25", to a tangent line, said tangent line being a line parallel with and 15.00 feet, measured at right angles, northerly of the existing centerline of Scenic Drive; thence North 88° 43' 25" West along said parallel line a distance of 42.02 feet to the southerly prolongation of the aforementioned North-South quarter section line of Section 23; thence North 0° 43' 20" West along said line a distance of 31.29 feet to the point of beginning.

Containing: 18.49 Acres.

Section 26-3-9 and
Section 23-3-9
(Steve M. Angelo)

EXHIBIT "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 73-183

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF WESSON ESTATES NO. 1 AND 2 SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-32, adopted February 20, 1973, approved the tentative map of WESSON ESTATES NO. 1 AND 2 SUBDIVISION, and

WHEREAS, the approval by the Planning Commission of the tentative map of WESSON ESTATES NO. 1 AND 2 SUBDIVISION was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed WESSON ESTATES NO. 1 AND 2 Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 26th day of February, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-184

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 15-3-9 OF THE ZONING MAP (Harley Brannan)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 20, 1973 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 15-3-9 of the zoning map to rezone from One-Family Residential Zone, R-1, to Highway Frontage Zone, H-1, property located on the north side of Floyd Avenue east of Coffee Road the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-31 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 15-3-9 of the Zoning Map be set for March 19, 1973 at 4:10 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February , 1973, by Councilmen Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

All the certain real property situate in the Northwest Quarter of Section 15, 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:

Beginning at the Southeast corner of Lot 1, Block 12879 as shown on map of Coffee Plaza No. 4, filed for record in Volume 23, of Maps, at Page 36, Stanislaus County records, thence North 0° 58' 25" West along the East line of said Coffee Plaza No. 4 a distance of 219.83 feet to the Northeast corner of Lot 2 of said Block 12879; thence North 89° 38' 35" East 35.00 feet; thence South 0° 58' 25" East, parallel with and 35.00 feet from said East line of Coffee Plaza No. 4 and the Southerly extension thereof, a distance of 439.84 feet to the South line of said Northwest Quarter of Section 15; thence South 89° 38' 35" West along said South line 35.00 feet, thence North 0° 58' 25" West along the East line of Parcel B as shown on Parcel Map filed for record in Book 8 of Parcel Maps, at Page 74, Stanislaus County Records, and the Southerly extension thereof a distance of 220.10 feet to the point of beginning.

EXHIBIT "A"

Section 15-3-9
(H. Brannan)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-185

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 13-3-8 OF THE ZONING MAP (Goldrich, Kest, Hirsch & Stern)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 20, 1973 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 13-3-8 of the zoning map to rezone from One-Family Residential Zone, R-1, to Planned Development, P-D, for an apartment development, property located on the west side of Prescott Road north of Mt. Vernon Drive
the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-27 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 13-3-8 of the Zoning Map be set for March 26, 1973 at 7:40 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February , 19 73 , by Councilmen Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

All of that certain piece or parcel of land situated in and being a portion of the Northerly 396 feet of the Northeast one quarter (NE $\frac{1}{4}$) of the Southeast one quarter (SE $\frac{1}{4}$) of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, more particularly described as follows to wit:

Commencing at the Northeast corner of the Southeast one quarter (SE $\frac{1}{4}$) of Section 13, Township 3 South, Range 8 East, M. D. B. & M; thence South 89° 36' 30" West along the North line of said Southeast one quarter (SE $\frac{1}{4}$) a distance of 45.00 feet to a point on the Westerly right-of-way line of a City street, known as Prescott Road and the true point of beginning of this description; thence continuing South 89° 36' 30" West along said North line of the Southeast one quarter (SE $\frac{1}{4}$) a distance of 696.74 feet; thence South 0° 11' 23" East a distance of 396.04 feet; thence North 89° 36' 30" East a distance of 376.23 feet; thence North 0° 23' 30" West a distance of 192.00 feet; thence North 89° 36' 30" East a distance of 320.51 feet to a point on the Westerly right-of-way line of Prescott Road; thence North along said westerly right-of-way line, parallel to and 45.00 feet Westerly of the East line of said Section 13, a distance of 204.04 feet to the point of beginning of this description.

Including also the westerly 45 feet of Prescott Road immediately adjacent to the above described property.

Containing 4.919 acres net.

EXHIBIT "A"

Section 13-3-8
(Goldrich, Kest, Hirsch & Stern)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-186

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $8,600 TO PROVIDE FUNDS NEEDED FOR POSTAGE

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$8,600
TO:	Postage (201-58-101)	$8,600

(Growth of the City, some delays in mailing in June, 1972, and mailings by Project Greater Modesto have required more postage than anticipated at budget time.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 19 73 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-187

A RESOLUTION SUPPORTING THE CONTINUATION OF THE STANISLAUS COUNTY LEGAL ASSISTANCE, INC. LEGAL SERVICES PROGRAM

WHEREAS, a continuing need for legal services for the poor in civil cases has been recognized in Stanislaus County; and

WHEREAS, the federal government, the Stanislaus County Bar Association, and the Stanislaus County community in general has responded to this need by supporting a federally funded legal services program, STANISLAUS COUNTY LEGAL ASSISTANCE, INC.; and

WHEREAS, the budgetary commitment on the part of the federal government has become uncertain for STANISLAUS COUNTY LEGAL ASSISTANCE, INC., amoung other similar legal services programs throughout the country; and

WHEREAS, this uncertainty is having a rapid, adverse affect on the operation of this law office and the service to its clients.

NOW, THEREFORE, BE IT RESOLVED that the Modesto City Council urges the federal government to end the uncertainty and continue its financial commitment to Stanislaus County Legal Assistance, Inc., so that the program may continue to serve the poor of Stanislaus County in need of legal services.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-188

A RESOLUTION ACCEPTING THE CONSTRUCTION OF REPLACEMENT OF SEWER LINE ON ALMOND AVENUE (B. G. Engineering Contractors Inc.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Replacement of Sewer Line on Almond Avenue has been completed by B. G. Engineering Contractors Inc.

in accordance with the contract agreement dated December 4, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of Replacement of Sewer Line on Almond Avenue be accepted from said contractor, B. G. Engineering Contractors, Inc. that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $7,737.86 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meetingof the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-189

A RESOLUTION ACCEPTING THE BID OF MATTESON CONSTRUCTION CO. FOR REFURBISHING OF THE SHOP BUILDING AT THE SERVICE YARD EXPANSION AND OTHER IMPROVEMENTS

WHEREAS, Resolution No. 73-116 , adopted by the Council of the City of Modesto on February 5, 1973 , approved the plans and specifications for the refurbishing of the shop building at the Service Yard Expansion and other improvements and authorized the calling for bids, and

WHEREAS, the bids received for the refurbishing of the shop building at the Service Yard Expansion and other improvements were opened at 10:00 A.M. on February 27, 1973 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 Matteson Construction Co. in the amount of $29,957

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Matteson Construction Co. in the amount of $29,957

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 March, 1973 19 73 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-190

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF SUBTRUNK SEWER ON SYLVAN AVENUE AND ROAD EAST OF BEYER HIGH

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

SECTION 1. The plans and specifications for construction of subtrunk sewer on Sylvan Avenue and road east of Beyer High 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 27, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-191

A RESOLUTION REJECTING BIDS FOR THE CONSTRUCTION OF A SUBTRUNK SEWER IN DALE ROAD BETWEEN CONANT AVENUE AND PRESCOTT ROAD OPENED FEBRUARY 20, 1973 AT 10:00 A.M.

WHEREAS, the Council of the City of Modesto on February 5, 1973 approved plans and specifications and authorized a call for bids for the construction of a subtrunk sewer in Dale Road between Conant Avenue and Prescott Road; and

WHEREAS, the bids were duly opened February 20, 1973 at 10:00 A.M.; and

WHEREAS, the low bidder has requested that he be allowed to withdraw his bid because of an error in preparation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bids opened February 20, 1973 for the construction of a subtrunk sewer in Dale Road between Conant Avenue and Prescott Road are 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 March, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-192

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF A SUBTRUNK SEWER IN DALE ROAD BETWEEN CONANT AVENUE AND PRESCOTT ROAD

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

SECTION 1. The plans and specifications for construction of a subtrunk sewer in Dale Road between Conant Avenue and Prescott Road 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 20, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-192

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF A SUBTRUNK SEWER IN DALE ROAD BETWEEN CONANT AVENUE AND PRESCOTT ROAD

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

SECTION 1. The plans and specifications for construction of a subtrunk sewer in Dale Road between Conant Avenue and Prescott Road 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 20, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-193

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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, and

WHEREAS, the Council, did, on February 12, 1973, adopt its Resolution No. 73-148, 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, the Council did by said resolution, set the 5th day of March, 1973, at 4:05 o'clock 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, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 73-148, and

WHEREAS, at the time set for hearing the protests and objections, if any, 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 incorporporated 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 Resolution No. 73-148 and 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 5th day of March, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 72/42-43

(a) Sidewalk on LaLoma at 207 No. Santa Cruz Avenue, Lots 5 and 6, Block 2061-1 (Melva A. Davenport)

(b) Sidewalk on LaLoma at 320 Las Flores Ave., Lot 4 of Block 232. (Mary Demicheli)
(DROP FROM AGENDA - DOING OWN WORK)
(c) Sidewalk at 1403 La Loma, a portion of Block 2087. (Elburnus W. Garke)
(By motion (Dixon/Elliott, unan) hearing continued to 3/19 at 4:15 P.M./ for further study.)
(d) Sidewalk at 1215 LaLoma, a portion of Block 2061-1. (Benjamin B. Holgate)
(Drop from agenda - doing own work)
(e) Sidewalk on LaLoma at 316 N. Santa Rosa Avenue, a portion of Block 2022. (Mary L. Hudelson)
(DROP FROM AGENDA - DOING OWN WORK)
(f) Sidewalk at 727 LaLoma, Lot 5 of Block 231. (Harold S. Parsons, Jr.)
(DROP FROM AGENDA - DOING OWN WORK)
(g) Sidewalk at 1213 LaLoma, a portion of Block 2061-1. (Ralph Heinrich)

(h) Sidewalk on LaLoma at 406 Bonita Avenue, Lot 1, Block 231. (Aron Saks)
(DROP FROM AGENDA - DOING OWN WORK)
(i) Sidewalk at 723 LaLoma, Lot 6 of Block 231. (Ray C. Varndell)

(j) Sidewalk at 1002 LaLoma, a portion of Block 2030 (Lester O. Wheeler)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-194

A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO THE MODESTO JUNIOR COLLEGE (EAST CAMPUS).

WHEREAS, Section 11-1.11 of the Modesto Municipal Code provides that "the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water service to government agencies including school districts . . . on a basis that is fair and equitable to all the parties concerned," and

WHEREAS, under this section it has been the practice to establish flat rates for water service to schools, and

WHEREAS, there have been landscaping and enrollment changes at the Modesto Junior College (East Campus) making it desirable to update the charges for water service, and

WHEREAS, a flat-rate water service charge to the school will be fair and equitable to both the City and the Yosemite Junior College District in respect to providing water service to the Modesto Junior College (East Campus),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the flat-rate water service charge to the Yosemite Junior College District for the Modesto Junior College (East Campus) be established according to the following formula:

A. Domestic Use

36 cu. ft. /pupil/month

B. Irrigation

140,000 cu. ft. /acre/year (based on an eight month irrigation season)

BE IT FURTHER RESOLVED by the Council that the flat-rate water service charge is hereby established in accordance with the formula set forth above based on the total number of pupils enrolled in Modesto Junior College (East Campus) and the area irrigated from the City water system.

(1) 1 to 500 students . . . . . $2,078.72 per year

(2) 501 to 800 students . . . . . $2,183.47 per year

(3) 801 to 1200 students . . . . $2,287.31 per year

(4) 1201 to 1600 students . . . .$2,422.03 per year

(5) 1601 to 2000 students . . . . $2,534.35 per year

(6) 2001 + students . . . . $2,590.51 per

BE IT FURTHER RESOLVED that the flat-rate water service charges established hereby shall be due and payable to City on November 1st of each year,

commencing in 1972.

BE IT FURTHER RESOLVED that the determination of the number of pupils enrolled in said school shall be as of the 31st day of October of each year.

BE IT FURTHER RESOLVED that the Yosemite Junior College District shall promptly notify City of any changes in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes. Failure to promptly notify City may be cause for immediate requirement of metering of the premises.

BE IT FURTHER RESOLVED that the City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolution No. 67-298 adopted by the City Council on April 24, 1967, is hereby rescinded.

BE IT FURTHER RESOLVED that this resolution shall apply retroactively to November 1, 1972.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL

RESOLUTION NO. 73-195

A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO MODESTO CITY SCHOOLS.

WHEREAS, Section 11-1.11 of the Modesto Municipal Code provides that "The Council shall have the power to establish by agreement or resolution the rates to be charged for providing water services to government agencies, including school districts . . . on a basis that is fair and equitable to all the parties concerned," and

WHEREAS, under this section it has been the practice to establish flat rates for water services to schools by resolution, and

WHEREAS, charges for water services to Modesto City Schools have been previously established, and

WHEREAS, there have been landscaping changes at certain schools in the Modesto City Schools' system since the adoption of said charges, and the addition and deletion of certain schools, making it desirable to establish a uniform basis of charges for water service to schools in the Modesto City Schools' system, and

WHEREAS, a flat-rate water service charge to schools will be fair and equitable to both the City and the Modesto City Schools in respect to providing water service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges for schools in the Modesto City Schools' system be established according to the following formula:

A. Domestic Use

K - 6 Schools -- 10 cu. ft./pupil/month

7 - 8 Schools -- 24 cu. ft./pupil/month

High Schools -- 36 cu. ft./pupil/month

B. Irrigation

140,000 cu. ft./acre/year (Based on an eight (8) month irrigation season)

BE IT FURTHER RESOLVED by the Council that flat-rate water service charges are hereby established for the following schools in accordance with the formula set forth above based on the number of pupils enrolled in each school, and the area irrigated from the City water system.

Beard School:

(1) 1 to 300 students . . . . . $135.00 per year

(2) 301 to 600 students . . . . . $162.00 per year

(3) 601+ students . . . . . $175.00 per year

Enslen School:

(1) 1 to 300 students . . . . . $118.00 per year

(2) 301 to 600 students . . . . . $145.00 per year

(3) 601+ students . . . . . $158.00 per year

Everett School:

(1) 1 to 300 students . . . . . $206.00 per year

(2) 301 to 600 students . . . . . $233.00 per year

(3) 601+ students . . . . . $247.00 per year

Fremont School:

(1) 1 to 300 students . . . . . $140.00 per year

(2) 301 to 600 students . . . . . $167.00 per year

(3) 601+ students . . . . . $180.00 per year

Garrison School:

(1) 1 to 300 students . . . . . $171.00 per year

(2) 301 to 600 students . . . . . $198.00 per year

(3) 601+ students . . . . . $212.00 per year

Muir School:

(1) 1 to 300 students . . . . . $145.00 per year

(2) 301 to 600 students . . . . . $172.00 per year

(3) 601+ students . . . . . $185.00 per year

Robertson Road School:

(1) 1 to 300 students . . . . . $728.00 per year

(2) 301 to 600 students . . . . . $801.00 per year

(3) 601+ students . . . . . $820.00 per year

Rose Avenue School:

(1) 1 to 300 students . . . . . $791.00 per year

(2) 301 to 600 students . . . . . $810.00 per year

(3) 601+ students . . . . . $820.00 per year

Washington School:

(1)	1 to 300 students	$286.00 per year
(2)	301 to 600 students	$313.00 per year
(3)	601+ students	$326.00 per year

Roosevelt Junior High School:

(1)	1 to 300 students	$443.00 per year
(2)	301 to 600 students	$531.00 per year
(3)	601+ students	$601.00 per year

Grace M. Davis High School:

(1)	1 to 500 students	$ 730.00 per year
(2)	501 to 800 students	835.00 per year
(3)	801 to 1,200 students	939.00 per year
(4)	1,201 to 1,600 students	1,074.00 per year
(5)	1,601 to 2,000 students	1,186.00 per year
(6)	2,001+ students	1,242.00 per year

Modesto High School:

(1)	1 to 500 students	$ 929.00 per year
(2)	501 to 800 students	1,033.00 per year
(3)	801 to 1,200 students	1,137.00 per year
(4)	1,201 to 1,600 students	1,272.00 per year
(5)	1,601 to 2,000 students	1,384.00 per year
(6)	2,001+ students	1,440.00 per year

Fred C. Beyer High School:

(1)	1 to 500 students	$2,886.71 per year
(2)	501 to 800 students	2,991.46 per year
(3)	801 to 1,200 students	3,095.30 per year
(4)	1,201 to 1,600 students	3,230.02 per year
(5)	1,601 to 2,000 students	3,342.34 per year
(6)	2,001+ students	3,398.50 per year

Continuation High School:

(1)	1 to 300 students	$ 159.00 per year
(2)	301+ students	186.00 per year

BE IT FURTHER RESOLVED that the flat-rate water service charges established hereby shall be due and payable to City on November 1 of each year.

BE IT FURTHER RESOLVED that the determination of the number of pupils enrolled in each school shall be as of the 31st day of October of each year.

BE IT FURTHER RESOLVED that the Modesto City Schools shall promptly notify City of any changes in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes. Failure to promptly notify City may be cause for immediate requirement of metering of the premises.

BE IT FURTHER RESOLVED that all other property owned or controlled by the Modesto City Schools shall receive water from the City water system on a regular metered basis.

BE IT FURTHER RESOLVED that this City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolution No. 71-319 adopted by the City Council on April 12, 1971 is hereby rescinded.

BE IT FURTHER RESOLVED that this resolution shall apply retroactively to November 1, 1972.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-196

A RESOLUTION APPROVING THE FINAL MAP OF THE MC HENRY ESTATES NO. 3 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, State Savings and Loan Association

is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 10.966 acres, known as the McHenry Estates No. 3 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 5th day of October, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said McHenry Estates No. 3 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 of the McHenry Estates No. 3 Subdivision 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 in the amount of Two Thousand, Five Hundred Sixty-Five and 20/100ths ($2,565.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 March, 1972, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-197

A RESOLUTION AMENDING RESOLUTION NO. 72-350 ENTITLED "A RESOLUTION ESTABLISHING THE CITY OF MODESTO YOUTH COMMISSION"

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Section 3 of Resolution No. 72-350 is hereby amended as follows:

3. "Each commissioner shall serve for a term of one year. One-half (1/2) of the commissioners shall be appointed effective December 1st of each year and one-half (1/2) effective June 1st of each year. In the event there is an odd number of commissioners, one additional commissioner shall be appointed effective December 1st of each year. A commissioner may be recommended and appointed for a maximum of two (2) consecutive terms."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-198

PURCHASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND E. C. HOGIN, ET AL AND ACCEPTING GRANT DEED FOR LAND ACQUISITION (Dry Creek Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the purchase/agreement between the City of Modesto and E. C. Hogin, et al for land acquisition - Dry Creek Park (Purchase price is $76,500) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said purchase/agreement and acceptance of Grant Deed 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 March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-199

A RESOLUTION APPROVING THE FINAL MAP OF THE COFFEE VILLA SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, James D. Horn and Donna K. Horn, husband and wife,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 24.613 acres, known as the Coffee Villa Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 3rd day of October, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Coffee Villa 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 of the Coffee Villa Subdivision 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 in the amount of Five Thousand, Five Hundred Eighty-Four and no/100ths ($5,584.00) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-200

A RESOLUTION APPROVING THE FINAL MAP OF THE ERIN ESTATES NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Arthur J. Wylie and Florence E. Wylie, husband and wife, and Vince Lancey, a single man,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 10.08 acres, known as the Erin Estates No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 2nd day of November, 1971, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Erin Estates 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 of the Erin Estates No. 2 Subdivision 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 in the amount of Two Thousand, Three Hundred Seventy-Nine and no/100ths ($2,379.00) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-201
REVISED LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE L. REED AND DARLENE REED, DBA AS SILVAIR AVIATION AT CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the revised lease/agreement between the City of Modesto and George L. Reed and Darlene Reed, dba Silvair Aviation at City-County Airport for lease of Office "A" in Building No. 1, three tie-down spaces and Hangar No. 1 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said revised lease/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 March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 202

A RESOLUTION AND ORDER OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 17, 1973, AND DESIGNATING PRECINCTS AND POLLING PLACES AND APPOINTING ELECTION OFFICERS FOR SAID GENERAL MUNICIPAL ELECTION.

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

(1) Pursuant to the Charter of the City of Modesto, a general municipal election shall be held on Tuesday, April 17, 1973, in the City of Modesto and in the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County for the election of the following officers:

(a) One (1) Councilman (Chair No. 2) for a full term of four (4) years.

(b) One (1) Councilman (Chair No. 4) for a full term of four (4) years.

(c) One (1) Councilman (Chair No. 5) for a full term of four (4) years.

(d) Two (2) members of the Board of Education for the full term of four (4) years each.

(2) Pursuant to Modesto City Council Resolution No. 73-164, adopted on February 20, 1973, said election shall also include Measure A, City of Modesto Initiative Ordinance. The form of the measure to be used on the ballots and voting machines, including the title and designation of said measure and the method of voting for and against said measure, shall be as set forth in said Resolution No. 73-164.

(3) The duties of the election officers appointed hereby in the conduct of said election shall be the same as the duties prescribed by the Elections Code of the State of California for officers of general elections. If the officers appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at the time may appoint a Board of Election or supply the place of any absent member thereof.

(4) Said election shall be held in all respects in conformity with the general election laws of the State of California insofar as the same may be applicable to and in conformity with the Charter of the City of Modesto. The polls at the polling places hereinafter designated shall be kept open continuously from 7:00 o'clock A. M. (P. S. T.) until 8:00 o'clock P. M. (P. S. T.) of said day of election, when the polls shall be closed (except as provided in Section 14436 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

(5) The returns of the election shall be made out and signed by the election officers and shall be by them deposited with the City Clerk, together with the ballots cast at the election; and the City Clerk is hereby ordered to and shall canvass said returns at the office of the Stanislaus County Clerk at County Center No. 3 located at Scenic Drive and Old Oakdale Road, Modesto, California, pursuant to the Elections Code of the State of California, Section 22932.5. Upon completion of the canvass, the City Clerk shall certify the results of the election to the Council and the Council shall meet at its usual meeting place and confirm said canvass by the City Clerk on Tuesday, April 24, 1973, at the hour of 4:00 o'clock P. M. (P. S. T.) and declare the results of the election.

(6) For the purpose of holding said election, the said City of Modesto and those portions of the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County lying within the corporate limits of the City of Modesto, and those portions of the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County, which lie outside of the corporate limits of the City of Modesto, shall be and the same are hereby precincted and established into one hundred three (103) voting precincts consisting of consolidations of the regular election precincts in the City of Modesto and the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County established for the holding of State and county elections; that the county election precincts be consolidated as hereinafter designated; that the polling places for the respective precincts shall be the places hereinafter designated; and that the persons hereinafter named have been appointed officers of election for their respective voting precincts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

SPECIAL ELECTION PRECINCT NO. 43001

includes all the area embraced in Modesto No. 1 election precincts lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: W.J. Bahr, Res.
2200 Ada
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Anna M. Bahr
2200 Ada, Modesto, Calif.

Judge: Mrs. Faye A. McSparin
2306 Carol, Modesto, Calif.

Judge: Mrs. Marion E. Sylvia
2130 Miller, Modesto, Calif.

Judge: Mrs. Bertha L. Chester
2220 Ada, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43002

includes all the area embraced in Modesto No. 74 election precints lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: A.G. Turner, Res.
204 Colfax
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Jean A. Turner
204 Colfax, Modesto, Calif.

Judge: Mrs. Norma L. Simonson
2317 Miller, Modesto, Calif.

Judge: Mrs. Dorothy M. Keenzel
214 Colfax, Modesto, Calif.

Judge: Mrs. Nora J. Runyan
2116 Glendale, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43003

includes all the area embraced in Modesto NO. 19 election precincts lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Fire House
635 El Vista
Modesto, California

ELECTION OFFICERS:

Inspector: Mrs. Doris L. Pratt
2106 Encina, Modesto, California

Judge: Mrs. Marie B. Lamb
2053 Haddon, Modesto, Calif.

Judge: Mrs. Freda H. Messenger
405 Fortuna, Modesto, Calif.

Judge: Mrs. Ethel S. Nielsen
213 Oakshire, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43004

includes all the area embraced in Modesto No. 20 & Modesto No. 65 election precints lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: La Loma Jr. High School-Lobby
1800 Encina
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Blanche R. Atwood
221 San Juan Dr, Modesto, Calif.

Judge: Mrs. Viola F. Welch
207 San Juan Dr, Modesto, Calif.

Judge: Mrs. Dorothy E. Lilly
345 Rosina, Modesto, Calif.

Judge: Mrs. Opal O. Smith
417 Rosina, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43005

includes all the area embraced in Modesto No. 21 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: La Loma Grace Brethren Church
1315 La Loma Blvd.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Hilda E. Hamilton
413 N Santa Ana, Modesto, Calif.

Judge: Mrs. Santina Raper
317 N Santa Ana, Modesto, Calif.

Judge: Mrs. Laura Bispo
301 Santa Barbara, Modesto, Calif.

Judge: Mrs. Dorothy L. Miner
409 Covena, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43006

includes all the area embraced in Modesto No. 22 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Wilson School-Library
201 Wilson
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Livia M. Lucks
211 Las Palmas, Modesto, Calif.

Judge: Mrs. Madeline C. Page
406 N Santa Rosa, Modesto, Calif.

Judge: Mrs. Frieda M. Randle
121 Santa Barbara, Modesto, Calif.

Judge: Mrs. Eva A. Brown
322 Las Palmas, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43007

includes all the area embraced in Modesto No. 23 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: M. Tigert, Res.
153 Las Flores
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Ruth A. Tigert
153 Las Flores, Modesto, Calif.

Judge: Mrs. Marjorie A. Green
120 Bonita Cr, Modesto, Calif.

Judge: Mrs. Doris R. Mitchell
231 Buena Vista, Modesto, Calif.

Judge: Mrs. Vivian D. Carey
108 Bonita Cr, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43008

includes all the area embraced in Modesto No. 2 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Lyle Cromwell, Res.
919 Chateau, Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Jacqueline E. Cromwell
919 Chateau, Modesto

Judge: Mrs. Marcia K. Breon
2348 Westminster Dr, Modesto, Calif.

Judge: Mrs. Ruth L. Mattews
2124 Wylie Dr, #234, Modesto, Calif.

Judge: Mrs. Cora M. Hegwer
925 Montmartre Dr, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43009

includes all the area embraced in Modesto No. 52 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: County Auditorium-Center #3
2115 Scenic Dr, ..
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Norma G. Marxmiller
2001 Scenic, Modesto, Calif.

Judge: Mrs Genevieve A. Cavaggion
617 Brookvale, Modesto, Calif.

Judge: Mrs. Maureen K. Hall
1913 Camelot Ct, Modesto, Calif.

Judge: Mrs. Mary Williams
801 Rio Vista, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43010

includes all the area embraced in Modesto No. 60 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Calvary Lutheran Church
547 Rose
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Allene F. Hughes
1705 Irene, Modesto, Calif.

Judge: Mrs. Nita J. Carnes
1701 Irene, Modesto, Calif.

Judge: Mrs. Alice J. Yonan
1529 Irene, Modesto, Calif.

Judge: Mrs. Mary A. Bruggenkamp
1705 Angelene Dr, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43011

includes all the area embraced in Modesto No. 30 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Geneva Presbyterian Church
1003 Fairmont
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Elsie M. Manning
1204 Clifton Dr, Modesto, Calif.

Judge: Mrs. Kathreen W. Larson
1425 Falcon Wy, Modesto, Calif.

Judge: Mrs. Opal M. Hilligoss
1717 Crestview, Modesto, Calif.

Judge: Mrs, Patricia S. Myrice
1712 Crestview Dr, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43012

includes all the area embraced in Modesto No. 31 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: R. Kindle, Gar.
915 Oxford Way
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Lillian Tatoyan
1421 Lock Rd, Modesto, Calif.

Judge: Mrs. Dorothy E. Hooper
809 El Vecino, Modesto, Calif.

Judge: Mrs. Olive B. Williams
1429 Locke Rd, Modesto, Calif.

Judge: Mrs. Miriam F. Fried
830 Muir, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43013

includes all the area embraced in Modesto No. 28 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: John Muir School, Hall
1215 Lucern
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Edith W. Copeland
613 Castle, Modesto

Judge: Mrs. Mabel E. Keir
1103 Grantland Ct, Modesto, Calif.

Judge: Mrs. Mildred T. Nelson
610 Cas tle, Modesto, Calif.

Judge: Mrs. Francis J. Darby
709 Castle, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43014

includes all the area embraced in Modesto No. 29 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Community Service Center-Auditorium
800 East Morris
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Marjorie H. Brown
130 John Muir Ct, Modesto, Calif.

Judge: Mrs. Mary R. Hanford
510 Cedar, Modesto, Calif.

Judge: Mrs. Gertrude J. Estes
302 Melrose, Modesto, Calif.

Judge: Mrs. Phyllis F. Feldman
125 John Muir Ct, Modesto, Calif.

SPECIAL ELECTION PRECINCT NO. 43015

includes all the area embraced in Modesto No. 32 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Helen Olson Gar.
609 High St.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. F. Estella Steger
525 Kimble, Modesto

Judge: Mrs. Florence Obert
600 High, Modesto

Judge: Mrs. Ethelyn I. Olson
132 Chabot Ct, Modesto

Judge: Mrs. Marjorie N. Ebie
328 Semple, Modesto

SPECIAL ELECTION PRECINCT NO. 43016

includes all the area embraced in Modesto No. 50 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Fred Biedenweg, Res.
139 Palm Ave.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Mable C. Biedenweg
139 Palm, Modesto

Judge: Mrs. Darlene Andreasen
145 Corson, Modesto

Judge: Mrs. Ruth L. Alway
536 Codoni, Modesto

Judge: Fred Biedenweg
139 Palm, Modesto

SPECIAL ELECTION PRECINCT NO. 43017

includes all the area embraced in Modesto No. 51 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Orangeburg Ave Baptist Church
313 Orangeburg
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Ruth M. Sell
1237 Nelson, Modesto

Judge: Mrs. Hazel Sample
313 Dawn Dr, Modesto

Judge: Mrs. Adeline J. Guidotti
1345 Sunrise, Modesto

Judge: Mrs. Ruth Z. Wildermuth
1305 Fiori, Modesto

SPECIAL ELECTION PRECINCT NO. 43018

includes all the area embraced in Modesto No. 54 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: A. Olson, Res.
1225 Multnomah Drive
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Rebecca J. Olson
1225 Multnomah Dr, Modesto

Judge: Mrs. Ruth A. Evans
1117 Halfmoon, Modesto

Judge: Mrs. Nancy L. Knoll
1141 Cambridge, Modesto

Judge: Mrs. Evelyn C. Harris
1140 Cambridge, Modesto

SPECIAL ELECTION PRECINCT NO. 43019

includes all the area embraced in Modesto No. 82 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: M. Atkinson, Res.
1316 El Vecino
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Mable Atkinson
1316 El Vecino, Modesto

Judge: Mrs. Berinthia M. Smith
1500 Sunrise, Modesto

Judge: Mrs. June E. Miller
704 Dawn Dr, Modesto

Judge: Mrs. Rose Lahar
920 E Orangeburg, Modesto

SPECIAL ELECTION PRECINCT NO: 43020

includes all the area embraced in Modesto No. 38 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: G. Freitas, Gar.
1404 Roosevelt
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Mary R. Freitas
1404 Roosevelt, Modesto

Judge: Mrs. Eva B. Durham
612 Catalina Wy, Modesto

Judge: Mrs. Lillian Spielman
507 Balboa, Modesto

Judge: Mrs. Ida Fraser
309 W Granger, Modesto

SPECIAL ELECTION PRECINCT NO. 43021

includes all the area embraced in Modesto No. 39 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: H. Merkel, Gar.
1550 Bronson
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Tabea Merkel
1550 Bronson, Modesto

Judge: Mrs. Thelma M. Bandy
1403 Bronson, Modesto

Judge: Mrs. Ernestine Kirkman
1535 Bronson, Modesto

Judge: Mrs. Frances I. Petersen
1540 Bronson, Modesto

SPECIAL ELECTION PRECINCT NO. 43022

includes all the area embraced in Modesto No. 83 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: J. Davis, Res.
1639 Bronson
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Mary A. Davis
1639 Bronson, Modesto

Judge: Mrs. Ella W. Peer
1725 Ardmore, Modesto

Judge: Mrs. Lynda J. McFarren
1616 Bronson, Modesto

Judge: Mrs. Anna E. Adair
1715 Ardmore, Modesto

SPECIAL ELECTION PRECINCT NO. 43023

includes all the area embraced in Modesto No. 40 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: T. Threlfall, Res.
1140 Mt. Vernon
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Donnabelle Z. Losher
1135 Mt. Vernon, Modesto

Judge: Mrs. Harriet T. Jolley
1817 Monticello, Modesto

Judge: Mrs. Rosemary B. Miller
1136 Mt. Vernon, Modesto

Judge: Mrs. Phyllis J. Threlfall
1140 Mt. Vernon, Modesto

SPECIAL ELECTION PRECINCT NO. 43024

includes all the area embraced in Modesto No. 41 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: David Scott, Gar.
1905 Wildwood
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. June Scott
1905 Wildwood, Modesto

Judge: Miss Faye Barnes
1824 College, Modesto

Judge: Mrs. Twila S. Wait
1029 Mt. Vernon, Modesto

Judge: Mrs. Verla M. Aiken
1018 Durant, Modesto

SPECIAL ELECTION PRECINCT NO. 43025

includes all the area embraced in Modesto No. 42 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: North Modesto Church of God
1918 Sherwood
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Norma B. Gaska
501 Briggsmore, Modesto

Judge: Mrs. Judith E. Johnson
2041 La Villa Rose Ct, Modesto

Judge: Mrs. Mary A. Smith
2924 Hemminger, Modesto

Judge: Mrs. Fay H. Ballard
505 Briggsmore, Modesto

SPECIAL ELECTION PRECINCT NO. 43026

includes all the area embraced in Modesto No. 43 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Beard School, Room 24
915 Bowen Ave.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Evelyn S. Solomon
709 Fleetwood, Modesto

Judge: Mrs. Jean S. Keasling
2402 Dorrington Ct, Modesto

Judge: Mrs. Doris I. Bader
221 Fleetwood, Modesto

Judge: Mrs. Cleo M. McPherrin
705 Fleetwood, Modesto

SPECIAL ELECTION PRECINCT NO. 43027

includes all the area embraced in Modesto No. 15 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Vincent Sabean, Gar
1609 Brentwood Ct
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Victoria L. Sabean
1609 Brentwood Ct, Modesto

Judge: Mrs. Katherine M. Miller
2821 Levon, Modesto

Judge: Vincent G. Sabean
1609 Brentwood Ct, Modesto

Judge: Mrs. Eleanor Shuman
2932 Hemminger, Modesto

SPECIAL ELECTION PRECINCT NO. 43028

includes all the area embraced in Modesto No. 14 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Everett School-Rm 22
1530 Mt. Vernon
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Rosemary Cornwell
1709 Bonanza Wy, Modesto

Judge: Mrs. Beverly Sawyer
1302 Mt. Vernon, Modesto

Judge: Mrs. Naomi S. Blakemore
2309 Rivera, Modesto

Judge: Mrs. Hazel F. White
2105 Norman Way, Modesto

SPECIAL ELECTION PRECINCT NO. 43029

includes all the area embraced in Modesto No. 62 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: M. Schmidt Garage
2114 Norman Way
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Patricia Schmidt
2114 Norman Way, Modesto

Judge: Mrs. Celestia V. Darby
1505 Lorainne, Modesto

Judge: Mrs. Goldie E. Carey
1906 Saratoga Dr, Modesto

Judge: Mrs. Kathleen J. Sereno
1830 Waring Wy, Modesto

SPECIAL ELECTION PRECINCT NO. 43030

includes all the area embraced in Modesto No. 9 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: E. A. Wolter, Garage
1512 Del Monte
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Mary A. Harmon
1529 Del Monte, Modesto

Judge: Mrs. Amy H. Brown
1416 Del Mar, Modesto

Judge: Mrs. Gladys O. Schurman
1521 Del Mar, Modesto

Judge: Mrs. Mildred L. Wolter
1512 Del Monte, Modesto

SPECIAL ELECTION PRECINCT NO. 43031

includes all the area embraced in Modesto No. 10 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Modesto Television
1225 Tully Road
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Wilma L. Caylor
1214 Del Rey, Modesto

Judge: Mrs. Lily M. Lystra
1402 Maplewood, Modesto

Judge: Mrs. Alma N. Van Aalsburg
1513 Maplewood, Modesto

Judge: Mrs. Hazel I. Johnson
1509 Maplewood, Modesto

SPECIAL ELECTION PRECINCT NO. 43032

includes all the area embraced in Modesto No. 11 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: E. M. Olsen Garage
1505 W. Roseburg
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Leilla M. Riebe
1518 Cherrywood, Modesto

Judge: Mrs. Farnetta Brendemuehl
1302 Pearl, Modesto

Judge: Mrs. Marie Schimpf
1509 W. Roseburg, Modesto

Judge: Mrs. Willma A. Grant
1540 Teresa, Modesto

SPECIAL ELECTION PRECINCT NO. 43033

includes all the area embraced in Modesto No. 12 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Garrison School-Rm 24
1811 Teresa
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Ruby F. Duarte
1736 W. Orangeburg, Modesto

Judge: Mrs. June B. Delano
1414 Martin, Modesto

Judge: Mrs. Betty I. Thrasher
1912 Silverwood, Modesto

Judge: Mrs. P. Fay Piceno
1908 Silverwood, Modesto

SPECIAL ELECTION PRECINCT NO. 43034

includes all the area embraced in Modesto No. 13 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: H. Branic Garage
1305 Glenwood
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Hazel C. Branic
1305 Glenwood, Modesto

Judge: Mrs. Bertha C. Wilson
1502 Maywood, Modesto

Judge: Mrs. Audrey M. Piscitello
1606 Silkwood, Modesto

Judge: Mrs. Goldie B. Benson
1337 Madrone, Modesto

SPECIAL ELECTION PRECINCT NO. 43035

includes all the area embraced in Modesto No. 4 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: James Marshall School
Pre-School Room
515 Sutter
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Nell I. Koch
618 Placid, Modesto

Judge: Mrs. Dorothy V. Carraway
614 Placid Lane, Modesto

Judge: Mrs. I. Marie Conrad
434 Leon, Modesto

Judge: Mrs. Caryl V. Roberts
433 Rosedale, Modesto

SPECIAL ELECTION PRECINCT NO. 43036

includes all the area embraced in Modesto No. 5 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Mancini Hall
716 Tuolumne Blvd.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Lola A. Isola
605 Tuolumne, Modesto

Judge: Mrs. Edna B. Duerfeldt
221 Madera, Modesto

Judge: Mrs. Margaret C. Bell
218 Rosemont, Modesto

Judge: Mrs. Mary E. Clay
225 Sunset, Modesto

SPECIAL ELECTION PRECINCT NO. 43037

includes all the area embraced in Modesto No. 6 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Washington Sch. Hall
705 So. Washington
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Beatrice A. Hoover
210 Vine, Modesto

Judge: Mrs. Henrietta Masciorini
201 Alturas, Modesto

Judge: Mrs. Mabel C. Boyd
208 Locust, Modesto

Judge: Mrs. Bertha Pronoitis
308 Vine, Modesto

SPECIAL ELECTION PRECINCT NO. 43038

includes all the area embraced in Modesto No. 7 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Farish-Herzog Pontiac
625 Eye
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Louise W. Olmstead
702 4th St, Modesto

Judge: Mrs. Leona V. Conant
701 4th St, Modesto

Judge: Mrs. Edna M. Dixson
921 5th St, Modesto

Judge: Mrs. Maola Wooley
702½ 4th St, Modesto

SPECIAL ELECTION PRECINCT NO. 43039

includes all the area embraced in Modesto No. 8 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Franklin School-Entry
120 South Emerald
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Ellen M. Steward
310 Las Olivas, Modesto

Judge: Mrs. Mary J. Martini
1410 Hillview Dr, Modesto

Judge: Mrs. June V. Morris
1107 Alameda, Modesto

Judge: Mrs. Betty E. Morgan
508 Longfellow, Modesto

SPECIAL ELECTION PRECINCT NO. 43040

includes all the area embraced in Modesto No. 63 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be:
Housing Authority Bld
1701 Robertson Road
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Vera N. Marlett
1630 Victor Way, Modesto

Judge: Mrs. Lois M. Wetzlick
1614 Victor Wy, Modesto

Judge: Mrs. Ruth E. Werrell
1605 Kazmir Ct, Modesto

Judge: Mrs. Evelyn L. Lollich
1600 Kazmir Ct, Modesto

SPECIAL ELECTION PRECINCT NO. 43041

Includes all the area embraced in Modesto No. 81 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: William Strobel, Res.
1820 Kienitz
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Marilee Marxmiller
1900 LaFayette, Modesto

Judge: Mrs. Sondra K. Strobel
1820 Kienitz, Modesto

Judge: Mrs. Earlene B. Aldridge
1916 LaFayette, Modesto

Judge: Mrs. Mary Ellen Moore
1833 LaFayette, Modesto

SPECIAL ELECTION PRECINCT NO. 43042

includes all the area embraced in Modesto Nos. 3, 48 and 25 election precints lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Heath Toyota
720 12th St.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Bernice Gross
1305 F St, Modesto

Judge: Mrs. Henrietta Hauschildt
1219 E St, Modesto

Judge: Mrs. Elgeva E. Sharar
525 13th, Modesto

Judge: Mrs. Janet Reed
1408 E St, Modesto

SPECIAL ELECTION PRECINCT NO. 43043

includes all the area embraced in Modesto No. 24 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Fire House Youth Center, 416 Downey Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Eileen Orvis
140 Loma Vista, Modesto

Judge: Mrs. Alice L. Martel
209 State, Modesto

Judge: Mrs. Mildred V. Larsen
149 Loma Vista, Modesto

Judge: Mrs. Dorothy A. Clark
149 Morton Blvd, Modesto

SPECIAL ELECTION PRECINCT NO. 43044

includes all the area embraced in Modesto No. 26 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: M I D Building
1231 11th St.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Fern I. Unruh
107 Hackberry, Modesto

Judge: Mrs. Arleva Berthelson
120 College, Modesto

Judge: Mrs. Mildred O. Elzner
130 Hackberry, Modesto

Judge: Mrs. Gwendolyn G. Felt
135 Hackberry, Modesto

SPECIAL ELECTION PRECINCT NO. 43043

includes all the area embraced in Modesto No. 24 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Fire House Youth Center, 416 Downey Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Eileen Orvis
140 Loma Vista, Modesto

Judge: Mrs. Alice L. Martel
209 State, Modesto

Judge: Mrs. Mildred V. Larsen
149 Loma Vista, Modesto

Judge: Mrs. Dorothy A. Clark
149 Morton Blvd, Modesto

SPECIAL ELECTION PRECINCT NO. 43044

includes all the area embraced in Modesto No. 26 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: M I D Building
1231 11th St.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Fern I. Unruh
107 Hackberry, Modesto

Judge: Mrs. Arleva Berthelson
120 College, Modesto

Judge: Mrs. Mildred O. Elzner
130 Hackberry, Modesto

Judge: Mrs. Gwendolyn G. Felt
135 Hackberry, Modesto

SPECIAL ELECTION PRECINCT NO. 43045

includes all the area embraced in Modesto No. 27 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Boy Scout Clubhouse
400 Enslen Ave.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Bette B. Smith
415 Sycamore, Modesto

Judge: Alfred F. Case
218 Elmwood Ct, Modesto

Judge: Mrs. Lydia B. Drennan
718 Wright, Modesto

Judge: Mrs. Kathleen Wieland
310 Magnolia, Modesto

SPECIAL ELECTION PRECINCT NO. 43046

includes all the area embraced in Modesto No. 33 election precint lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Lutheran Church
324 College
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Norma S. Hammond
1235 Princeton, Modesto

Judge: Mrs. Pearl Johansen
1212 Princeton, Modesto

Judge: Mrs. Helen B. Alamsha
1225 Trinity, Modesto

Judge: Mrs. Lois A. Le Baron
1119 Trinity, Modesto

SPECIAL ELECTION PRECINCT NO. 43047

includes all the area embraced in Modesto No. 34 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Enslen School-Rm 1
515 Colwell
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Anna E. Bacciarini
684 Geer Ct, Modesto

Judge: Mrs. Helen I. Edwards
664 Geer Ct, Modesto

Judge: Mrs. Thelma Van Antwerpen
805 Geer, Modesto

Judge: Mrs. Violet P. Doborvolny
302 W. Roseburg, Modesto

SPECIAL ELECTION PRECINCT NO. 43048

includes all the area embraced in Modesto No. 35 election precint lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: J. Berdot Garage
911 Helms Lane
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Hilda M. Hughes
1129 Mills, Modesto

Judge: Mrs. Helen J. Berdot
911 Helms Ln, Modesto

Judge: Mrs. Mary F. Hirseland
915 Coldwell, Modesto

Judge: Mrs. Evelyn D. Corrigan
922 Helms Ln, Modesto

SPECIAL ELECTION PRECINCT NO. 43049

includes all the area embraced in Modesto No. 36 election precinct lying within the exterior boundaries of Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Joseph Nemeth, Res
1109 Enslen
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Lucille H. Kern
211 Marian, Modesto

Judge: Mrs. Daisy McCoy
1228 Brady, Modesto

Judge: Mrs. Verta Reddy
1231 Brady, Modesto

Judge: Mrs. Eleanor B. Nemeth
1109 Enslen, Modesto

SPECIAL ELECTION PRECINCT NO. 43050

includes all the area embraced in Modesto No. 37 election precinct lying within the exterior boundaries of Modesto City Schools and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Roosevelt Jr. High Sch.
Hall-1330 College
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Audean M. DeBroekert
1112 Oberlin Cr, Modesto

Judge: Mrs. Alberta Kamps
1231 Cecil Way, Modesto

Judge: Fred W. DeBroekert
1112 Oberlin Circle, Modesto

Judge: Mrs. Pauline Coover
1120 Oberlin Circle, Modesto

SPECIAL ELECTION PRECINCT NO. 50051

includes all the area embraced in Modesto No.49 election precinct lying within the exterior boundaries of Modesto City and Ceres Unified School District of Stanislaus County.

POLLING PLACE therein shall be: No Polling Place. Vote Absentee in accordance with Section 14620.5 of Election Code.

ELECTION OFFICERS:

Inspector:

Judge:

Judge:

Judge:

SPECIAL ELECTION PRECINCT NO. 42052

includes all the area embraced in Modesto No. 61 election precinct lying within the exterior boundaries of Modesto City, Hart-Ransom Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: No Polling Place. Vote Absentee in accordance with Section 14620.5 of Election Code.

ELECTION OFFICERS:

Inspector:

Judge:

Judge:

Judge:

SPECIAL ELECTION PRECINCT NO. 41053

includes all the area embraced in Modesto No. 53 election precinct lying within the exterior boundaries of Modesto City, Empire Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Fred Bubeck, Res.
2657 El Greco Drive
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Ruby A. Bubeck
2657 El Greco Dr, Modesto

Judge: Mrs. Patricia N. Vanderhoeven
2617 El Greco Dr, Modesto

Judge: Mrs. Marie A. Duffy
421 Lincoln, Modesto

Judge: Mrs. Ellen C. Watson
517 Kimble, Modesto

SPECIAL ELECTION PRECINCT NO. 41054

includes all the area embraced in Modesto No. 75 election precinct lying within the exterior boundaries of Modesto City, Empire Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: No Polling Place. Vote Absentee in accordance with Section 14620.5 of Election Code.

ELECTION OFFICERS:

Inspector:

Judge:

Judge:

Judge:

SPECIAL ELECTION PRECINCT NO. 47055

includes all the area embraced in Modesto No. 16 election precinct lying within the exterior boundaries of Modesto City, Stanislaus Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Dave Watson Garage
1921 Estep
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Betty S. Watson
1921 Estep Dr, Modesto

Judge: Mrs. Mary C. Wayne
2028 Girard, Modesto

Judge: Mrs. Eva M. Berbena
1842 Gulfstream, Modesto

Judge: Mrs. Rae H. Lewis
1914 Estep Dr, Modesto

SPECIAL ELECTION PRECINCT NO. 47056

includes all the area embraced in Modesto No. 17 election precinct lying within the exter boundaries of Modesto City, Stanislaus Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Muncy School-Teachers
2410 Janna Lounge
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Wanda Klaproth
2325 Queenaire Ln, Modesto

Judge: Mrs. Sue Zimmerman
2417 Queenaire Ln, Modesto

Judge: Mrs. Mary L. Tatum
1825 Mt. Vernon Dr, Modesto

Judge: Mrs. Pansy A. Bubeck
2016 Renchler Ln, Modesto

SPECIAL ELECTION PRECINCT NO. 47057

includes all the area embraced in Modesto No. 64 election precinct lying within the exterior boundaries of Modesto City, Stanislaus Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Highway Village Community Center 2604 Budd Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Dorothy Geis 2728 Whitcomb, Modesto

Judge: Mrs. Lillian M. Miller 2324 Whitcomb Way, Modesto

Judge: Mrs. Lavada L. Cockman 2524 Whitcomb Way, Modesto

Judge: Mrs. Nancy F. Presses 2520 Whitcomb Way, Modesto

SPECIAL ELECTION PRECINCT NO. 47058

includes all the area embraced in Modesto No. 67 election precinct lying within the exter boundaries of Modesto City, Stanislaus Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Chrysler School Unit C-Storeroom 2818 Conant Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Treva S. List 2137 Eicher, Modesto

Judge: Mrs. Irene K. Hicks 2621 Prescott-86, Modesto

Judge: Mrs. Linnie M. List 1620 Jamaica Ct, Modesto

Judge: Mrs. Katherine J. Ewert 2424 Pamela Ln, Modesto

SPECIAL ELECTION PRECINCT NO. 47059

includes all the area embraced in election precinct lying within the exterior boundaries of Modesto City, Stanislaus Union School and Modesto High School Districts of Stanislaus County. Modesto No. 68

POLLING PLACE therein shall be: Robert James Garage
3005 Secrest Way
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Ione C. James
3005 Secrest Wy, Modesto

Judge: Mrs. Mary A. Cadrett
1556 Marsha, Modesto

Judge: Mrs. Carolyn F. Merritt
3004 Secrest Wy, Modesto

Judge: Mrs. Verda Mae Davidson
1552 Marsha, Modesto

SPECIAL ELECTION PRECINCT NO. 47060

includes all the area embraced in election precinct lying within the exter boundaries of Modesto City, Stanislaus Union School and Modesto High School Districts of Stanislaus County. Modesto No. 69

POLLING PLACE therein shall be: Prescott Sr.
Elementary Schl.
2243 W. Rumble
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Carolyn J. Mastropierro
1820 Langton Ln, Modesto

Judge: Mrs. Phyllis G. Rowe
1821 Glaston, Modesto

Judge: Mrs. Terri J. Cummings
1821 Glouster Wy, Modesto

Judge: Mrs. Patricia L. Graham
2112 Wolcott, Modesto

SPECIAL ELECTION PRECINCT NO. 48061

includes all the area embraced in Modesto No. 18 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: John Lague Garage
1432 Glen Aulen
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Barbara E. Lague
1432 Glen Aulen, Modesto

Judge: Mrs. Margaret K. Arno
3009 Deanna Way, Modesto

Judge: Mrs. Ova E. Linn
1409 Glen Aulen Dr, Modesto

Judge: Mrs. Ruby F. Ferguson
3105 Gayland Dr, Modesto

SPECIAL ELECTION PRECINCT NO. 48062

includes all the area embraced in Modesto No. 80 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Neighborhood Church
Woodrow & Tully
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Harriett E. Nicholson
1016 Princess Ct, Modesto

Judge: Mrs. Rosemary M. Marcellin
3412 John Lee Ln, Modesto

Judge: Mrs. Lavonia F. Krieg
905 Kevin Ct, Modesto

Judge: Mrs. Lorraine C. Roberts
916 Kevin Ct, Modesto

SPECIAL ELECTION PRECINCT NO. 48063

includes all the area embraced in Modesto No. 44 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: R. Smith, Residence
920 Woodrow
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Grace A. Smith
920 Woodrow, Modesto

Judge: Mrs. Barbara Page
1016 Academy, Modesto

Judge: Mrs. Jane H. Morgenson
1017 Lexington Dr, Modesto

Judge: Mrs. Betty J. Pack
1108 Wellington Dr, Modesto

SPECIAL ELECTION PRECINCT NO. 48064

includes all the area embraced in Modesto No. 55 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Woodrow School
800 Woodrow Ave.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Lillian Genseal
317 Birchwood Ct, Modesto

Judge: Mrs. Ella M. Cain
P. O. Box 457, Modesto

Judge: Mrs. Shirley A. Black
408 Birchwood Ct, Modesto

Judge: Mrs. Ann J. Brom
704 Roxbury Ln, Modesto

SPECIAL ELECTION PRECINCT NO. 48065

includes all the area embraced in Modesto Nos. 72 and 79 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Greenwood Church
605 Standiford
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Barbara J. Coleman
3616 Poinsettia, Modesto

Judge: Mrs. Donna L. Lacazotte
3700 Poinsettia Dr, Modesto

Judge: Mrs. Shirley M. Buscaino
3316 Fremont, Modesto

Judge: Mrs. Verna L. Ferris
3617 Poinsettia, Modesto

SPECIAL ELECTION PRECINCT NO. 48066

includes all the area embraced in Modesto Nos. 71 and 56 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Y. M. C.A. Building
2700 McHenry Ave.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Georgia Grandquist
220 Emerson, Modesto

Judge: Mrs. Shirley J. Moreland
421 Kavanagh, Modesto

Judge: Mrs. Judith K. Lang
2604 Mac Gregor Ct, Modesto

Judge: Mrs. Geraldine L. Anaforian
2608 Mac Gregor Ct, Modesto

SPECIAL ELECTION PRECINCT NO. 48067

includes all the area embraced in Modesto No. 47 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Sherwood School
819 East Rumble
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Jeanne B. Aggers
3313 Heartwood Wy, Modesto

Judge: Mrs. Violet D. Stewart
920 Terrace Pl, Modesto

Judge: Mrs. Ann Corbett
3104 Londonderry, Modesto

Judge: Mrs. Elvira A. Girolami
3012 Londonderry, Modesto

SPECIAL ELECTION PRECINCT NO. 48068

includes all the area embraced in Modesto No. 78 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Harold Wilburn, Gar
2713 Westchester Ln
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Evelyn X. Wilburn
2713 Westchester Ln, Modesto

Judge: Mrs. Vera L. Thiel
2808 Westchester Ln, Modesto

Judge: Mrs. Lucille J. Fuller
2830 Westchester Ln, Modesto

Judge: Mrs. Lucile Stewart
817 Hampshire Ct, Modesto

SPECIAL ELECTION PRECINCT NO. 48069

includes all the area embraced in Modesto No. 45 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Standiford School
605 Tokay
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Evelyn L. Hubbard
2720 Sunrise, Modesto

Judge: Mrs. Vickie R. Goulart
213 Tokay, Modesto

Judge: Mrs. Nickie S. Grothaus
316 Ribier, Modesto

Judge: Mrs. Jeri K. Heinemann
201 Bruce Ct, Modesto

SPECIAL ELECTION PRECINCT NO. 48070

includes all the area embraced in Modesto No. 46 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Somerset School-Libry
1037 Floyd
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Lois M. Novak
1006 Tahoe Dr, Modesto

Judge: Mrs. Jean G. Bowman
925 Huntington Dr, Modesto

Judge: Mrs. Cheryl R. Cline
1005 Tahoe Dr, Modesto

Judge: Mrs. Geraldine McKinzie
917 Huntington Dr, Modesto

SPECIAL ELECTION PRECINCT NO. 48071

includes all the area embraced in Modesto Nos. 66 and 73 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: B. Simpkins, Res
801 Tokay
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Bruce C. Broyles 2012 O'Farrell, Modesto
Judge:	Mrs. Betty M. Simpkins 801 Tokay, Modesto
Judge:	Mrs. Geraldine Melrose 701 Norwegian, Modesto
Judge:	Mrs. Esther Van Valin 1714 Sunrise, Modesto

SPECIAL ELECTION PRECINCT NO. 48072

includes all the area embraced in Modesto No. 57 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: F. Switzer, Res
2413 Dana Lane
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Neva B. Switzer 2413 Dana Lane, Modesto
Judge:	Mrs. Evelyn J. Zimmerman 2501 Jasmin, Modesto
Judge:	Mrs. Jeanette R. Adkins 420 Charles, Modesto
Judge:	Mrs. Ailene F. Roberts 2321 Newport Dr, Modesto

SPECIAL ELECTION PRECINCT NO. 48075

includes all the area embraced in Modesto Nos. 76 and 77 election precinct lying within the exterior boundaries of Modesto City, Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Boy Scout Covell Service Center 1324 Celeste Drive Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Myrta Crismon 1901 Serena, Modesto

Judge: Mrs. Lewetta J. Gilbert 1901 Bloxham, Modesto

Judge: Mrs. Gertrude R. Sherlock 1909 Marcus Dr, Modesto

Judge: Mrs. Josephine M. Kral 1901 Serena, Modesto

SPECIAL ELECTION PRECINCT NO. 41076

includes all the area embraced in Empire No. 3 and McHenry No. 5 election precincts lying within the exterior boundaries of Empire Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Empire Fire House 4845 Yosemite Blvd. Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Hannah F. Glick P. O. Box 6, Empire

Judge: Mrs. Florence L. Prouty 621 McClure Rd, Modesto

Judge: Mrs. Gwendolyn Truesdail 3510 E. Orangeburg, Modesto

Judge: Mrs. Ruth Cowles 3508 E. Orangeburg, Modesto

SPECIAL ELECTION PRECINCT NO. 41077

includes all the area embraced in Empire Nos. 4 and 5 election precincts, and those portions of Claus No. 3 and Star 3 election precincts lying within the exterior boundaries of Empire Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Empire Community Clubhouse
First & Eye Streets
Empire, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Elverta Z. Smith
P O Box 81, Empire

Judge: Mrs. Frona L. Johnson
P O Box 592, Empire

Judge: Mrs. Vaunda I. Goodman
890 Triangle Ranch, Modesto

Judge: Mrs. Crystal B. Gosnell
445 Davison, Modesto

SPECIAL ELECTION PRECINCT NO. 42078

includes all the area embraced in Hart-Ransom Nos. 1 and 2 election precincts lying within the exterior boundaries of Hart-Ransom Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Woodland Fire House
3300 Woodland Ave.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Hellen M. Cesmat
2124 Woodland, Modesto

Judge: Mrs. Theresa Borba
2200 Woodland, Modesto

Judge: Mrs. Betty L. Wenger
4342 Beckwith, Modesto

Judge: Mrs. Janice Bailey
5149 Blue Gum, Modesto

SPECIAL ELECTION PRECINCT NO. 44079

includes all the area embraced in Paradise No. 2 election precinct lying within the exterior boundaries of Paradise School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Paradise School
3361 California Ave.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Charlene L. Cooper
907 Pauline, Modesto

Judge: Mrs. Charlotte R. Kidd
3360 California, Modesto

Judge: Mrs. Jessie G. Ames
3318 Paradise, Modesto

Judge: Mrs. Joey F. Sharp
701 Pauline, Modesto

SPECIAL ELECTION PRECINCTS NO. 45080

includes all the area embraced in Salida Nos. 1 and 2 election precincts lying within the exterior boundaries of Salida Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Women's Club House
4630 Park
Salida, California

ELECTION OFFICERS:

Inspector: Mrs. Beverly M. Connacher
P O Box h, Salida

Judge: Mrs. Madeline B. Knight
P O Box 856, Salida

Judge: Mrs. Marjorie E. Beck
6718 Beckwith, Modesto

Judge: Mrs. Dena J. Boer
4312 Murphy, Modesto

SPECIAL ELECTION PRECINCT NO. 46081

includes all the area embraced in Paradise No. 1 election precinct lying within the exterior boundaries of Shiloh School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Shiloh School
6631 Paradise Road
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Ida M. Sciarini
6213 Paradise, Modesto

Judge: Mrs. Nora E. Silva
6012 Paradise, Modesto

Judge: Mrs. Marie B. Bizzini
7513 Paradise, Modesto

Judge: Mrs. Ann E. Ehrler
5919 Paradise, Modesto

SPECIAL ELECTION PRECINCT NO. 47082

includes all the area embraced in Coffee No. 10, McHenry No. 3 and Prescott Nos. 1, 2 and 3 election precincts lying within the exterior boundaries of Stanislaus Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Stanislaus Union School
Quonset Bldg, 1931 Kiernan Rd.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Barbara J. Young
4620 Dale, Modesto

Judge: Mrs. Roberta J. Ohland
4609 Dale, Modesto

Judge: Mrs. Patricia S. Moore
417 Stewart, Modesto

Judge: Mrs. Hazel I. Pasqua
1372 St. Francis, Modes to

includes all the area embraced in Airport Nos. 1 and 2 election precincts lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Orville Wright School-Entry
1602 Monterey
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Dorothy D. Love
1714 Bonnie Brae, Modesto

Judge: Mrs. Betty F. Love
1709 Bonnie Brae, Modesto

Judge: Mrs. Blanche E. Krepps
1202 Tenaya, Modesto

Judge: Mrs. Ethel M. Hackbarth
337 S Santa Cruz, Modesto

SPECIAL ELECTION PRECINCT NO. 43084

includes all the area embraced in Airport No. 3 election precinct lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Pentecostal Church of God-Annex
1630 Mono Drive
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Mildred A. Rodrigues
318 S. Santa Ana, Modesto

Judge: Mrs. Georgia G. Jones
205½ S. Santa Cruz, Modesto

Judge: Mrs. Bessie J. Ingle
206 S. Santa Ana, Modesto

Judge: Mrs. A nn L. Kelley
290 S. Santa Ana, Modesto

SPECIAL ELECTION PRECINCT NO. 43085

includes all the area embraced in Empire 1 election precincts lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Wesley Methodist Church
300 Trask Lane
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Dorothy Mitchell
325 Trask Ln, Modesto

Judge: Mrs. Grace M. Shank
2312 Viola, Modesto

Judge: Mrs. Dorothy G. Hanne
301 Cloverdale, Modesto

Judge: Mrs. Clara McFadden
501 Trask Ln, Modesto

SPECIAL ELECTION PRECINCT NO. 43086

includes all the area embraced in Coffee 1 election precinct lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: J. D. Bowman Garage
512 Coffee Road
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Gertrude G. Bowman
512 Coffee, Modesto

Judge: Mrs. Dorothy M. Newby
1328 Lucern, Modesto

Judge: James D. Bowman
512 Coffee, Modesto

Judge: Mrs. Beatrice E. Frank
1429 Irons Ct, Modesto

SPECIAL ELECTION PRECINCT No. 43087

includes all the area embraced in Coffee 3 election precincts lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: A. Tucker Garage
1339 East Coolidge
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Amy G. Tucker 1339 E. Coolidge, Modesto
Judge:	Mrs. Letha M. Beavers 1445 Queens, Modesto
Judge:	Mrs. Claire M. Price 1621 E. Coolidge, Modesto
Judge:	Mrs. Mona L. Santos 1523 Paulette, Modesto

SPECIAL ELECTION PRECINCT NO. 43088

includes all the area embraced in Coffee 4 election precinct lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Orangeburg Ave.
Baptist Church
313 Orangeburg
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Roberta Arnerich 1116 Cambridge, Modesto
Judge:	Mrs. Angela J. Torvend 530 El Cajon, Modesto
Judge:	Gerald T. Oliveira 1316 Trombetta, Modesto
Judge:	Mrs. Edythe D. Guinn 513 Norwegian, Modesto

SPECIAL ELECTION PRECINCT No. 43089

includes all the area embraced in McHenry 1 election precincts lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: J. Monaco, Sr. Gar
1005 Clarksburg
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Corinne M. Drasbek 1004 Clarksburg, Modesto
Judge:	Mrs. Marjorie M. Cran 1020 Lakewood, Modesto
Judge:	Mrs. Grace Monaco 1005 Clarksburg Wy, Modesto
Judge:	Mrs. Dolores Meyer 1009 Rutledge Pl, Modesto

SPECIAL ELECTION PRECINCT NO. 43090

includes all the area embraced in McHenry 6 election precinct lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Stanislaus County
Fire House
929 Oakdale
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Marjorie J. Brown 1521 Carnation Ct, Modesto
Judge:	Mrs. Evelyn Christiansen 2405 E. Orangeburg, Modesto
Judge:	Mrs. Eleanor A. Hillar 2510 Scenic, Modesto
Judge:	Mrs. Hazel L. Jackson 2905 Parkview Dr, Modesto

SPECIAL ELECTION PRECINCT No. 43091

includes all the area embraced in Paradise Nos. 3-4 and 5 election precincts lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: B. F. Pedego Garage
603 Colorado
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Signa M. Pedego 603 Colorado, Modesto
Judge:	Mrs. Madie L. Westfall 615 Colorado, Modesto
Judge:	Mrs. Della K. Cheek 2038 Vernon, Modesto
Judge:	Mrs. Cheryl L. Fantazia 2380 Regal Rd, Modesto

SPECIAL ELECTION PRECINCT NO. 43092

includes all the area embraced in Paradise Nos. 6 and 7 election precinct lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Fire House
1313 Beverly Drive
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Frances I. Brill 1648 Victoria, Modesto
Judge:	Miss Isabel Renwick 1215 Beverly, Modesto
Judge:	Mrs. Emma C. Ott P. O. Box 335, Modesto
Judge:	Mrs. Laverne D. Moore 1649 Vineyard Haven, Modesto

SPECIAL ELECTION PRECINCT NO. 43093

includes all the area embraced in Paradise Nos. 8 and 9 election precincts lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Mark Twain School
Entry-707 Emerald
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Elizabeth C. Fox 932 California, Modesto
Judge:	Mrs. Alice Davison 612 California, Modesto
Judge:	Mrs. Katherine J. Nicolai 718 Chicago, Modesto
Judge:	Mrs. Alice M. Watson 1308 Harris, Modesto

SPECIAL ELECTION PRECINCT NO. 43094

includes all the area embraced in Paradise No. 10 election precinct lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Maze Blvd. Christian
Church-Educational
Bldg.-725 Maze Road
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Doris A. Morgan 1111 Lone Palm, Modesto
Judge:	Mrs. Vernie M. Clark 1632 Shirley Ct, Modesto
Judge:	Mrs. Genevieve P. Sutton 919 Elm, Modesto
Judge:	Mrs. Dorothy M. Benson 603 Elm, Modesto

SPECIAL ELECTION PRECINCT No. 43095

includes all the area embraced in Page No. 1 election precincts lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Shackelford Schl-Libr.
100 School Street
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Evelyn M. King 1238 Boulder, Modesto
Judge:	Mrs. Hallie M. Roberts P. O. Box 377, Modesto
Judge:	Mrs. Eleanor M. Thompson 665 S. 7th, Modesto
Judge:	Mrs. Stella L. Gragg 1821 W. Hatch, Modesto

SPECIAL ELECTION PRECINCT NO. 43096

includes all the area embraced in Club No. 3 and Page No. 2 election precinct lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Industrial Fire House
830 Pecos
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Patricia J. Smith 844 River Rd, Modesto
Judge:	Mrs. Wanda F. Biggs 924 Bewley, Modesto
Judge:	Miss Ethel M. Sutton 1433 Holm, Modesto
Judge:	Mrs. Gertrude M. Tiura 1305 River Rd, Modesto

SPECIAL ELECTION PRECINCT No. 43097

includes all the area embraced in Caswell Nos. 5 and 6 election precincts lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Salvation Army Red Shield Community Center, 1649 Las Vegas Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Ada L. Barber
1711 Eureka, Modesto

Judge: Mrs. Ollie M. Sherman
1509 Eureka, Modesto

Judge: Mrs. Lillian B. Newnam
313 Imperial, Modesto

Judge: Mrs. Carla J. Underwood
520 Imperial, Modesto

SPECIAL ELECTION PRECINCT NO. 43098

includes all the area embraced in Caswell No. 7 election precinct lying within Modesto City School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Fairview School, Nurses' Room
2169 Whitmore Ave.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Frances E. Lee
3230 Vivian, Modesto

Judge: Mrs. Inez Bava
2043 W. Whitmore, Modesto

Judge: Mrs. Gloria E. Lee
3500 Vivian, Modesto

Judge: Mrs. Helen A. Gibson
1755 Poland, Modesto

SPECIAL ELECTION PRECINCT NO. 48099

includes all the area embraced in Coffee No. 2 and McHenry No. 2, and that portion of Claus No 3 election precinct lying within the exterior boundaries of Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: P. Ursini, Gar.
1901 Sylvan Ave.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Clementina E. Ursini
1901 Sylvan , Modesto

Judge: Mrs. Juanda P. Thomas
3722 Oakdale Rd, Modesto

Judge: Mrs. Madge Zipser
2412 Oakdale Rd, Modesto

Judge: Mrs. Betty J. Bradley
3524 Merle, Modesto

SPECIAL ELECTION PRECINCT NO. 48100

includes all the area embraced in Coffee No. 7 election precinct lying within the exterior boundaries of Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Sylvan Union School
2908 Coffee Rd.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Freda M. Sorrentino
3229 Oakdale Rd, Modesto

Judge: Mrs. Hazel Armstrong
2307 Oakdale Rd, Modesto

Judge: Mrs. Ruth M. Gooch
1701 Thorsen, Modesto

Judge: Mrs. Lydia A. Speedy
2307 Oakdale, #92, Modesto

SPECIAL ELECTION PRECINCT NO. 48101

includes all the area embraced in McHenry No. 4 and Riverbank No. 4, and that portion of Claus No. 1 election precinct lying within the exterior boundaries of Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: A.N. Kline, Res.
1300 Patterson Rd.
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Katherine L. Kline
1300 Patterson Rd, Modesto

Judge: Mrs. Lores M. Bibens
1315 Amy, Modesto

Judge: Mrs. Evelyn H. Biddle
1331 Crawford, Modesto

Judge: Mrs. Dorothy E. Morgan
4012 Roselle, Modesto

SPECIAL ELECTION PRECINCT NO. 48102

includes all the area embraced in Coffee No. 9, election precinct lying within the exterior boundaries of Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Travelodge Mobile Park
4024 McHenry Avenue
Modesto, Calif.

ELECTION OFFICERS:

Inspector: Mrs. Patricia J. Smith
701 Claratina, Modesto

Judge: Mrs. Lucille M. Amerine
4118 McHenry Ave, Modesto

Judge: Mrs. Lee B. Iverson
1112 Claratina, Modesto

Judge: Mrs. Agnes A . Haver
4024 McHenry-Sp. 6, Modesto

SPECIAL ELECTION PRECINCT NO. 48103

includes all the area embraced in Coffee Nos. 5, 6 and 8 election precincts lying within the exterior boundaries of Sylvan Union School and Modesto High School Districts of Stanislaus County.

POLLING PLACE therein shall be: Floyd Freberg, Res.
505 King Richard Lane
Modesto, Calif.

ELECTION OFFICERS:

Inspector:	Mrs. Kathryn B. Freberg 505 King Richard Ln, Modesto
Judge:	Mrs. Helen E. Reel 3100 Buckingham Ct, Modesto
Judge:	Mrs. Marion R. Shores 508 Greenwich Ln, Modesto
Judge:	Mrs. Gloria G. Regan 416 Greenwich Ln, Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 73-203

A RESOLUTION AUTHORIZING THE HIRING OF ONE ADDITIONAL POLICEMAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the hiring of one additional policeman is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-204

A RESOLUTION ANNEXING UNINHABITED TERRITORY KNOWN AS THE ORANGEBURG-LILLIAN ADDITION TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on February 20, 1973, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Orangeburg-Lillian Addition,

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

That the annexation of said uninhabited territory designated as Orangeburg-Lillian Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto

be and the same is hereby approved and said property be and the same is hereby subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved, is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap and Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By RC Mangnall
Public Works Department

RHill 3-2-73

Corrected February 1, 1973

Corrected February 2, 1973

ORANGEBURG-LILLIAN ADDITION

All that real property in the State of California, County of Stanislaus, in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Merician, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972 as Instrument 23377, Stanislaus County Records, said point being the intersection of the centerline of a 40 foot public road known as East Orangeburg Avenue, and the North-South quarter line of Section 24; thence along the existing City Limits and the boundary of said ADDITION (292), South 89°21'00" West, 1310.14 feet, to a point on the Western line of Lot 11 of the IDAHO COLONY, as per map filed April 27, 1909, in Volume 4 of Maps, Page 21, Stanislaus County Records; thence along said Western line, South 00°56'32" East, 1322.80 feet, to the intersection of the Northern line of the LINCOLN ESTATES NO. 4 SUBDIVISION, as per map filed July 28, 1965, in Volume 21 of Maps, Page 14, Stanislaus County Records, and the centerline of a 50.00 foot public road known as Dixon Way; thence along the boundary of LINCOLN ESTATES NO. 4 SUBDIVISION the following courses and distances, North 89°20'55" East, 645.28 feet, South 00°51'35" East, 736.67 feet, to the Northeast corner of the SCENIC HEIGHTS SUBDIVISION, as per map filed October 31, 1962, in Volume 20 of Maps, Page 30, Stanislaus County Records; thence along the Eastern line of the SCENIC HEIGHTS SUBDIVISION and its Southerly extension, South 00°51'35" East, 600.66 feet, to the centerline of a public road known as Scenic Drive; thence along the centerline of a 50 foot public road known as Scenic Drive, North 87°58'38" East, 327.34 feet, thence leaving the centerline of Scenic Drive, North 00°54'05" West, 1329.50 feet, to the quarter section line of Section 24; thence along said quarter section line, North 89°20'55" East, 337.72 feet, to the interior quarter corner of Section 24; thence along a North-South quarter section line, North 00°54'22" West, 1322.76 feet, to the point of beginning, containing 49.775 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-205

A RESOLUTION APPOINTING MEMBERS OF THE PERSONNEL COMMISSION (Frank J. Russo and Sarah Jackson)

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 Personnel Commission for the respective term as indicated:

Frank J. Russo	1214 G Street, Apt. 3	(term expiring 1/1/75)
Sarah Jackson	1235 Cecil Way	(Reappointed for a term expiring 1/1/77)

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Personnel 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 5th day of March 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-206

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF THE HAPPY STEAK, INC. TO APPEAL THE DECISION OF THE BOARD OF ZONING ADJUSTMENT'S REQUIREMENT THAT ROTATION OF SIGN AT 1809 AND 2001 McHENRY BE STOPPED

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 2, 1973, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of The Happy Steak, Inc. to appeal the decision of the Board of Zoning Adjustment's requirement that rotation of sign at 1809 and 2001 McHenry be stopped.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-207

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF ALLEN GRANT, INC. TO APPEAL THE PLANNING COMMISSION'S DENIAL TO REZONE FROM R-1 TO R-2 AND P-D FOR A SINGLE-FAMILY ATTACHED RESIDENTIAL DEVELOPMENT AND A FOUR-PLEX DEVELOPMENT ON THE EAST SIDE OF CONANT SURROUNDING THE CHRYSLER SCHOOL AND PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 9, 1973, at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Allen Grant, Inc. to appeal the Planning Commission's denial to rezone from R-1 to R-2 and P-D for a single-family attached residential development and a four-plex development on the east side of Conant surrounding the Chrysler School and Park site.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-208

A RESOLUTION SUPPORTING SELF HELP ENTERPRISES' PROGRAM IN THE CITY OF MODESTO

WHEREAS, Self Help Enterprises Inc., has contributed needed housing resources in the City of Modesto by making available to needy families the means whereby low-cost housing can be provided; and

WHEREAS, recent action by the Federal Government threatens the existence of the self help program as a primary means of alleviating the present housing crisis among the national under-privileged.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby expresses its support for the continued funding of the Self Help Program, and urges that reconsideration be given to the funding thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-209

A RESOLUTION ACCEPTING THE BID OF BIBENS NURSERY CO. FOR CONSTRUCTION OF PLAY AREA IN J. M. PIKE PARK

WHEREAS, Resolution No. 73-159 , adopted by the Council of the City of Modesto on February 20, 1973 , approved the plans and specifications for the construction of Play Area in J. M. Pike Park

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Play Area in J. M. Pike Park
were opened at 10:00 A.M. on March 6, 1973 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 Bibens Nursery Co. in the amount of $6,300.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Bibens Nursery Co. in the amount of $6,300.00

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 12th day of March, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-210

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN MAZE BLVD.

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

SECTION 1. The plans and specifications for installation of waterlines in Maze Blvd.
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 27, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-211

A RESOLUTION ACCEPTING THE BID OF BELL & HOWELL CO. TO FURNISH MICROFILM EQUIPMENT (One camera Unit)

WHEREAS, Resolution No. 73-145 , adopted by the Council of the City of Modesto on February 12, 1973 , approved the plans and specifications for the furnishing of microfilm equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of microfilm equipment

were opened at 2:00 P.M. on February 27, 1973 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 Bell & Howell Co. to furnish one camera unit in the amount of $1,395.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Bell & Howell Co. to furnish one camera unit in the amount of $1,395.00

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 12th day of March, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-212

A RESOLUTION ACCEPTING THE BID OF GEORGE W. LUCAS CO. TO FURNISH MICROFILM EQUIPMENT (One reader-printer and one reader-Printer stand)

WHEREAS, Resolution No. 73-145 , adopted by the Council of the City of Modesto on February 12, 1973 , approved the plans and specifications for the furnishing of microfilm equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of microfilm equipment
were opened at 2:00 P.M. on February 27, 1973 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 George W. Lucas Co. for one reader-printer at $3,060.75 and one reader-printer stand at $110.25
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George W. Lucas Co. for one reader-printer at $3,060.75 and one reader-printer stand at $110.25
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 12th day of March, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-213

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(109). (ERNEST W. HAHN, INC.)

WHEREAS, a verified application for an amendment to Section 11-3-8 of the Zoning Map was filed by Ernest W. Hahn, Inc. on December 14, 1972, to prezone to Planned Development Zone, P-PD, the following described property:

All that portion of Section 11, Township 3 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, California, according to the official plat thereof, and portions of Lots 5 and 6 of the McKinney Colony, Stanislaus County, California, according to the official map thereof, filed in the office of the Recorder of Stanislaus County, California, on November 21, 1903, in Volume 1 of Maps at page 57, described as follows:

Beginning at the Southeast corner of the Northeast Quarter of said Section 11, thence "NORTH" along the East line of said Section 11 as shown on a Record of Survey filed in Volume 9 at page 32, Record of Surveys, Stanislaus County Records, 555.58 feet; thence South 89° 44' 46" West, parallel with the North line of said Section 11, a distance of 2100.00 feet; thence South 14° 44' 46" West 640.00 feet; thence South 41° 40' 50" West 387.88 feet to a point on the Westerly right of way line of property conveyed to the State of California by deed recorded September 26, 1972, in Book 2500, page 492 of Official Records of said County, as Instrument No. 12942; thence Southeasterly along said right of way line through the following described courses.

1) South 48° 19' 10" East 483.32 feet;

2) thence Southeasterly along a tangent curve concave to the Northeast and having a radius of 1970.00 feet through a central angle of 4° 10' 40" an arc distance of 143.64 feet to a point on the Westerly right of way line of property conveyed to the State of California by deed recorded September 6, 1956, in Book 1383, page 616, Official Records of said County, as Instrument no. 24364; a radial line at said point bears South 37° 30' 10" West;

thence continuing Southeasterly along said last described 1970.00 foot radius curve through a central angle of 21° 18' 56" an arc distance of 732.89 feet to a point of tangency; thence South 73° 48' 46" East 652.32 feet; thence Southeasterly along a tangent curve concave to the Southwest and having a radius of 1110.00 feet through a central angle of 6° 56' 38" an arc distance of 134.53 feet to a point on the South line of said Lot 5, a radial line at said point bears North 23° 07' 52" East; thence North 89° 22' 52" East along the South line of said Lot 5 a distance of 645.99 feet to a point on the East line of said Section 11, said point being "SOUTH" along the East line of said Section 11, a distance of 1324.42 feet from said Southeast corner of the Northeast Quarter of said Section 11; thence "NORTH" along the East line of Section 11 a distance of 1324.42 feet to the point of beginning.

The above described parcel contains 87.44 acres more or less.

WHEREAS, a public hearing was held by the Planning Commission on January 16, 1973, and continued to January 23, 1973, January 31, 1973, and February 7, 1973, in regard to said prezoning application and in regard to an Environmental Impact Report prepared on said prezoning application, and

WHEREAS, after the public hearing held on January 16, 1973, and continued to January 23, 1973, January 31, 1973, and February 7, 1973, it was found and determined by the Planning Commission that prezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The Modesto Trade Area has a population sufficiently large to support a regional shopping center.

2. The site proposed for the regional shopping center will upon construction of the Beckwith Interchange on Freeway 99, be suitably located to handle the large amounts of vehicular traffic that will occur as a result of the center.

3. Concentration of major commercial uses at a freeway interchange will have the desirable effect of de-emphasizing McHenry Avenue as a logical site for additional strip commercial uses. Additional commercial traffic overload of McHenry Avenue will be partially avoided as a result.

WHEREAS, after a public hearing held on March 12, 1973, the Council found and determined that the application of Ernest W. Hahn, 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. 1259 -C.S. on the 12th day of March, 1973, prezoning the above-described property to Planned Development Zone, P-PD(109).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(109), is hereby approved, in accordance with the plan titled "Design Study "G" Revised - Regional Shopping Center, Modesto, California", stamped approved by the Planning Commission on February 7, 1973, which said plan is amended in red on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That all development be in accordance with the plan referred to above.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the developer for approval by both the Planning Director and the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences and walls shall be maintained and the premises shall be kept free of weeds, trash and other debris.

4. That the development shall be connected to the City of Modesto water and sewer facilities in accordance with the requirements of the Director of Public Works.

5. That all parking and driveway areas shall be improved in accordance with the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

6. That the developer shall install 20 on-site fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed prior to the occupancy of the premises.

7. That the developer shall install, on all levels of the mall, wet standpipes having a minimum diameter of $2\frac{1}{2}$ inches to be located on 75 foot centers. The standpipes shall have Fire Department hose connections and valves.

8. That, for fire protection purposes, the 30 foot wide private driveways adjacent to the primary shopping center structure shall be increased to 40 feet in width.

9. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Planning Director. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings.

10. That all signs to identify the premises shall comply with the sign requirements of the H-1 Zone.

11. That the developer shall pay to the City of Modesto $7 each for the planting of 180 street trees.

12. That prior to the issuance of a building permit for any development, the developer shall deed to the City a site within the regional shopping center to be used for a water well and pump station to serve the project. The location and size of the well and pump station site must meet the specifications of the Director of Public Works.

13. That prior to the issuance of a building permit for any development the developer shall pay the cost of installation of traffic signals to be located at the intersection of the Beckwith Road and Dale Avenue intersection.

14. That prior to the issuance of a building permit for any development the developer shall dedicate sufficient right-of-way to allow improvement of Sisk Road and Dale Road to major street standards.

15. That the developer shall provide for the construction of street improvements along the property's Dale Road and Sisk Road frontages to City of Modesto major street standards, including new pavement, matching pavement where necessary, curb and gutter, full concrete sidewalk with street tree blockouts, street lighting, and street drainage.

16. That prior to the issuance of the building permit for any development, the developer shall submit street improvement plans prepared by a registered Civil Engineer to the Public Works Department for approval by the City Engineer.

17. That all public improvements shall be installed prior to occupancy of the premises or by February 7, 1976, whichever occurs first.

18. That prior to the issuance of a building permit, if all required public improvements have not been installed, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit, in the amount to be determined by the City Engineer, shall be filed with the City Clerk to guarantee installation of public improvements by February 7, 1976, or prior to occupancy, whichever occurs first.

19. That prior to the issuance of a building permit, the developer shall submit for approval by the Planning Director, 4 copies of a revised plot plan showing all the required changes and adjustments in design, and the limitations set on the development as shown on the plot plan amended in red and on file in the office of the Director of Planning.

20. That a building permit for uses other than department stores shall be issued only after a building permit has been issued for a full-line department store.

21. That the first portion of the shopping center opened for business shall include at least one full-line department store and an equal square footage of mall shops.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(109):

That the construction program be accomplished in two (2) phases as follows:

Phase I to include the entire shopping center with the exception of one department store of approximately eighty thousand (80,000) square feet of gross floor area, with construction to begin on or before July 1, 1975, and be completed not later than July 1, 1978.

Phase II to include one department store of approximately eighty thousand (80,000) square feet of gross floor area, with construction to begin on or before July 1, 1978, and be completed not later than July 1, 1981.

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 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. ENVIRONMENTAL IMPACT REPORT. The Council hereby declares that in making the foregoing approval, it has received and considered the Environmental Impact Report referred to above.

SECTION 6. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance prezoning the above-described property to Planned Development Zone, P-PD(109) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By William Fricke
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-214

A RESOLUTION ESTABLISHING A LAND USE POLICY IN THE AREA AROUND THE HAHN REGIONAL SHOPPING CENTER SITE

WHEREAS, the City Council has considered and approved a prezoning request by Ernest W. Hahn, Inc. for a regional shopping center near the Beckwith Road interchange at Freeway 99 on March 12, 1973, and

WHEREAS, the urban growth inducing impact at this regional shopping center needs careful planning if the northwesterly portion of the Modesto Urban Area is to develop in an orderly manner,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it establishes the following land use policy in the area around the Hahn Regional Shopping Center site:

1. The Council hereby declares its intention to urge the County Board of Supervisors to rid the urban fringe of A-1, Unclassified Zoning as soon as possible.
2. The Council hereby declares its intention to urge the County Board of Supervisors to zone lands outside of the City of Modesto's 20-year sanitary sewer service area with a minimum of A-2-10 zoning in order that Williamson Act contracts can be utilized to reduce taxes on agricultural lands and thereby help insure agricultural land preservation.
3. The Council hereby directs the City's staff to prepare as comprehensive an annexation pattern as is possible to assure urban development under city review and development standards.
4. The Council hereby declares its intention not to expand its 20-year sanitary sewer service area to the west of the Southern Pacific Railroad tracks north of Beckwith Road and north of Pelandale Road west of the 20-year sanitary sewer service area in order to preserve the agricultural uses in these areas.

5. The Council hereby declares its support of the neighborhood zoning and development plans that have been approved by the City Planning Commission as an effective means of controlling future patterns of urban development in the area around the Hahn Regional Shopping Center site.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-215

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HUGH B. COFFELT AND ANNA R. COFFELT FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3330 SCENIC DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Hugh B. Coffelt and Anna R. Coffelt for sewer service to property outside the City at 3330 Scenic Dr.

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 March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-216

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND T. D. HAMLIN AND ANN NITA HAMLIN FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1530 MORENE WAY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and T. D. Hamlin and Ann Nita Hamlin

for sewer service to property outside the City at 1530 Morene Way

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 March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-217

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT L. REDENBAUGH AND KATHLEEN REDENBAUGH FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 128-130 ELLEN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert L. Redenbaugh and Kathleen Redenbaugh for sewer service to property outside the City at 128-130 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 12th day of March, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-218

A RESOLUTION ADVANCING $155,000.00 FROM 1973-74 TO 1972-73 CAPITAL IMPROVEMENT PROGRAM FOR DRY CREEK PARK SITE ACQUISITION.

WHEREAS, the Planning Commission has recommended an amount of $255,000.00 for acquisition of the Dry Creek Park site in the Capital Improvement Program proposed for 1973-74, and

WHEREAS, the acquisition of property for Dry Creek Park has progressed more rapidly than anticipated, and

WHEREAS, the Planning Commission, on February 20, 1973, by motion, requested that $155,000.00 of available Revenue Sharing money be committed to the 1972-73 budget for the acquisition of property for Dry Creek Park,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that $155,000.00 of available Revenue Sharing money be designated for the acquisition of property for Dry Creek Park during the 1972-73 fiscal year, as requested by the Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-219

A RESOLUTION AUTHORIZING A TRANSFER FROM THE REVENUE SHARING FUND (FUND NO. 611) TO THE SPECIAL FUND FOR CAPITAL OUTLAYS (FUND NO. 321) FOR ACQUISITION OF PROPERTY FOR DRY CREEK PARK.

WHEREAS, the City Council has designated $155,000.00 of available Revenue Sharing money for the acquisition of property for Dry Creek Park, and

WHEREAS, the Council is authorized to transfer monies from the Revenue Sharing Fund (Fund No. 611) to other City of Modesto funds to finance qualified projects as needed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an amount of $155,000.00 is authorized to be transferred from the Revenue Sharing Fund (Fund No. 611) to the Special Fund for Capital Outlays (Fund No. 321) and appropriated in the account Dry Creek Park Site Acquisition (Account No. 6415).

BE IT FURTHER RESOLVED that the Director of Finance is 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 March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-220

A RESOLUTION ACCEPTING THE RESIGNATION OF CLYDE H. DUNLAP, JR. AS ALTERNATE REPRESENTATIVE TO STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (SAAG)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the resignation of Clyde H. Dunlap, Jr. as alternate representative to Stanislaus Area Association of Governments is hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-221

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

WHEREAS, a portion of the Mc Henry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Old Oakdale No. 2 Addition by Ordinance No. 1257-C.S. adopted on February 20, 19 73, and said addition officially became a part of the City of Modesto on March 5, 1973, 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, THEREFORE, 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 Mc Henry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 73.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

RCM 3-8-73

By RC Maynard
Public Works Department

OLD OAKDALE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 14, the Northwest quarter of the Northwest quarter of Section 23, and the East half of Section 22, 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 ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, said point also being the corner common to Sections 14, 15, 22 and 23; thence along the Southern boundary of said ADDITION (230), said line being also common to Sections 15 and 22, South 89°50'35" West, 1311.57 feet, to the Northeastern corner of the ROSE ACRES NO. 3 ADDITION (225), as per description filed January 24, 1969, as Instrument 2734, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (225), South 00°41'30" East, 644.62 feet, to the Northeastern corner of the KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (179), South 00°41'30" East, 514.00 feet, to the Northeastern corner of the GREENFIELD ADDITION (251), as per description filed April 17, 1970, as Instrument 12047, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (251), South 00°41'30" East, 1635.80 feet, to the Northeastern corner of the ROSE AVENUE SCHOOL ADDITION (176), as per description filed March 30, 1965, as Instrument 12390, Stanislaus County Records; thence along the boundary of said ADDITION (176), the following courses; South 00°41'30" East, 511.00 feet; North 89°59'50" East, 1290.46 feet, to a point on the Western boundary of the MORNINGSIDE HEIGHTS ADDITION (192), as per description filed June 14, 1966, as Instrument 21018, Stanislaus County Records; thence along the boundary of said ADDITION (192), the following courses, North 00°45'00" West, 661.80 feet; North 89°58'20" East, 3.50 feet; North 00°45'00" West, 1323.63 feet, to the Northwestern corner of said ADDITION (192), said point being also on the centerline of a 40 foot public road known as East Orangeburg Avenue; thence along the Northern boundary of said ADDITION (192), South 89°36'04" East, 1333.92 feet; thence leaving the existing City Limits, North 00°46'43" West, 1543.74 feet, to the Southern line of the M.I.D. Lateral No. 3 right-of-way; thence along said Southern line, North 82°18'00" West, 1009.36 feet; thence along a tangent curve concave to the South, having a Radius of 403.10 feet, a Central Angle of 35°14'00", and an Arc Length of 247.88 feet; thence along said right-of-way, South 62°28'00" West, 77.25 feet, to the Eastern boundary of the ROSE ACRES NO. 4 ADDITION (230); thence along said Eastern boundary, South 00°01'26" West, 268.35 feet, to the point of beginning, containing 147.423 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-222

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (OLD OAKDALE NO. 2 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on February 20, 1973, certain territory known as Old Oakdale No. 2 Addition, and

WHEREAS, the inclusion of the area contained in Old Oakdale No. 2 Addition 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 Old Oakdale No. 2 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 104.

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

SECTION 5. Monday, May 7, 1973, at the hour of 4:05 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 judgment 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. 104.

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) 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) On the East side of Oakdale Road at the North boundary of the annexation.

(2) On the North side of East Orangeburg Avenue at the East boundary of the annexation.

(3) On the West side of Oakdale Road at the North side of Wylie Drive.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 104, 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 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By D C Mongrell
Public Works Department

RHM 3-12-73

OLD OAKDALE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 14, the Northwest quarter of the Northwest quarter of Section 23, and the East half of Section 22, 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 ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, said point also being the corner common to Sections 14, 15, 22 and 23; thence along the Southern boundary of said ADDITION (230), said line being also common to Sections 15 and 22, South 89°50'35" West, 1311.57 feet, to the Northeastern corner of the ROSE ACRES NO. 3 ADDITION (225), as per description filed January 24, 1969, as Instrument 2734, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (225), South 00°41'30" East, 644.62 feet, to the Northeastern corner of the KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (179), South 00°41'30" East, 514.00 feet, to the Northeastern corner of the GREENFIELD ADDITION (251), as per description filed April 17, 1970, as Instrument 12047, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (251), South 00°41'30" East, 1635.80 feet, to the Northeastern corner of the ROSE AVENUE SCHOOL ADDITION (176), as per description filed March 30, 1965, as Instrument 12390, Stanislaus County Records; thence along the boundary of said ADDITION (176), the following courses; South 00°41'30" East, 511.00 feet; North 89°59'50" East, 1290.46 feet, to a point on the Western boundary of the MORNINGSIDE HEIGHTS ADDITION (192), as per description filed June 14, 1966, as Instrument 21018, Stanislaus County Records; thence along the boundary of said ADDITION (192), the following courses, North 00°45'00" West, 661.80 feet; North 89°58'20" East, 3.50 feet; North 00°45'00" West, 1323.63 feet, to the Northwestern corner of said ADDITION (192), said point being also on the centerline of a 40 foot public road known as East Orangeburg Avenue; thence along the Northern boundary of said ADDITION (192), South 89°36'04" East, 1333.92 feet; thence leaving the existing City Limits, North 00°46'43" West, 1543.74 feet, to the Southern line of the M.I.D. Lateral No. 3 right-of-way; thence along said Southern line, North 82°18'00" West, 1009.36 feet; thence along a tangent curve concave to the South, having a Radius of 403.10 feet, a Central Angle of 35°14'00", and an Arc Length of 247.88 feet; thence along said right-of-way, South 62°28'00" West, 77.25 feet, to the Eastern boundary of the ROSE ACRES NO. 4 ADDITION (230); thence along said Eastern boundary, South 00°01'26" West, 268.35 feet, to the point of beginning, containing 147.423 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. Chynoweth, 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 12, 1973, 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 Councilman Elliott, seconded by Councilman Newton, and adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

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 12, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-223

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS STATE COLLEGE FOUNDATION TO PERMIT CITY OF MODESTO TO USE TWO STUDENTS FROM STANISLAUS STATE COLLEGE UNDER THE FEDERALLY FUNDED INTERGOVERNMENTAL PERSONNEL ACT OF 1970 AND RESCINDING RESOLUTION NO. 73-103 ADOPTED JANUARY 22, 1973

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus State College Foundation for to permit City of Modesto to use two students from Stanislaus State College under the federally funded Intergovernmental Personnel Act of 1970 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized, and Resolution No. 73-103 adopted on January 22, 1973 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-224

A RESOLUTION APPROVING FUNDING FOR THE INCREASED PUBLIC EMPLOYMENT RETIREMENT SYSTEM BENEFIT FOR RETIRED CITY EMPLOYEES - OVER A THREE PERIOD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the plan providing for a payment over a three year period be and hereby is approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-225

A RESOLUTION AUTHORIZING THE HIRING OF AN ADDITIONAL POLICEMAN EFFECTIVE MARCH 20, 1973

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the hiring of an additional policeman effective March 20, 1973 is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-226

A RESOLUTION APPROVING APPLICATION FOR SELECTIVE ACCIDENT FREE ENFORCEMENT GRANT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that application for a grant from the State of California, Business and Transportation Agency, Office of Traffic Safety, for Selective Accident Free Enforcement Project in amount of $25,000 for Project Period July 1, 1973 through December 31, 1973 is hereby approved.

BE IT FURTHER RESOLVED that execution of the application by the City Manager of the City of Modesto is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-227

A RESOLUTION FINDING THAT CLAIM OF JOHN ROGER SNIDER AGAINST THE CITY OF MODESTO WAS NOT PRESENTED WITHIN THE REQUIRED 100 DAY LIMITATION

WHEREAS, a claim in the amount of $1,207.88 was filed against the City of Modesto on February 22, 1973 by John Roger Snider; and

WHEREAS, the alleged accident occurred July 9, 1972.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it finds that the claim of John Roger Snider in amount of $1,207.88 against the City of Modesto was not filed within the 100 day limitation as required by Section 411.2 of the Government Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-228

A RESOLUTION GRANTING ACCESS RIGHTS TO PORTIONS OF LOT 8, CENTRAL HEIGHTS ESTATES SUBDIVISION.

WHEREAS, a final map of Central Heights Estates Subdivision was recorded on November 26, 1965, in Volume 21 of Maps at Page 32, Stanislaus County Records, and

WHEREAS, said map prohibits vehicular access to Coffee Road from Lot 8 of said Subdivision, and

WHEREAS, the Planning Commission of the City of Modesto has approved a tentative parcel map to divide said Lot 8 into three (3) parcels designated on said tentative parcel map as Parcels A, B and C, and

WHEREAS, the Planning Commission has recommended that limited access to Coffee Road be granted to the proposed Parcels B and C of Lot 8,

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

1. That one access driveway to Coffee Road is hereby granted to Parcel B of Lot 8 as shown on the tentative parcel map of said Lot 8 approved by the Planning Commission on March 6, 1973, which said Parcel B is described as follows:

> All that certain piece or parcel of land situate in and being a portion of Lot 8 of CENTRAL HEIGHTS ESTATES lying in Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being more particularly described as follows:
>
> Commencing at the Southeast corner of Lot 8 of CENTRAL HEIGHTS ESTATES as per the Official Map thereof recorded in Volume 21 of Maps at page 32, Stanislaus County Records; thence North 0° 59' 40" West along the easterly line of said Lot 8, a distance of 100.00 feet to the true point of beginning of this description; thence continuing North 0° 59' 40" West along said Easterly line, a distance of 100.00 feet; thence North 89° 35' 33" West, a distance of 190.10 feet to the Westerly line of said Lot 8; thence South 0° 59' 40" East along said Westerly line, a distance of 100.00 feet; thence South 89° 35' 33" East, a distance of 190.10 feet to the point of beginning.
>
> Containing 0.44 Acres, more or less.

2. That one access driveway to Coffee Road is hereby granted to Parcel C of Lot 8 as shown on the tentative parcel map of said Lot 8 approved by the Planning Commission on March 6, 1973, which said Parcel C is described as follows:

All that certain piece or parcel of land situate in and being a portion of Lot 8 of CENTRAL HEIGHTS ESTATES lying in Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being more particularly described as follows:

Beginning at the Southeast corner of Lot 8 of CENTRAL HEIGHTS ESTATES as per the Official Map thereof recorded in Volume 21 of Maps at page 32, Stanislaus County Records; thence North 0° 59' 40" West along the Easterly line of said Lot 8, a distance of 100.00 feet; thence North 89° 35' 33" West, a distance of 190.10 feet to the Westerly line of said Lot 8; thence South 0° 59' 40" East along said Westerly line, a distance of 100.00 feet to the Southerly line of said Lot 8; thence South 89° 35' 33" East along said Southerly line, a distance of 190.00 feet to the point of beginning.

Containing 0.44 Acres, more or less.

3. That said access driveways shall be constructed in accordance with City of Modesto driveway standards and each shall have a maximum width of forty-one (41') feet as measured at the top of the curb.

4. That the access rights granted hereby shall become effective at such time as a final parcel map, substantially in conformance with the above referred to tentative parcel map, is recorded in the office of the Stanislaus County Recorder.

5. That the City Clerk is hereby authorized to record a copy of this resolution in the office of the Stanislaus County Recorder at the same time as he records said final parcel map.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-229

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $20,000 TO PROVIDE ADDITIONAL FUNDS NEEDED FOR EQUIPMENT PARTS

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

SERVICE DIVISION WORKING CAPITAL FUND (512)

FROM:	Appropriate Reserve (60-48-512)	$20,000
TO:	Equipment Parts (332-48-512)	$20,000

(The amount budgeted for the 1972-73 fiscal year is inadequate to cover the equipment parts needs. See memo from the Director of Public Works to the City Manager dated March 7, 1973.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-230

A RESOLUTION APPOINTING RAYMOND C. SIMON TO STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (SAAG)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Raymond C. Simon is hereby appointed as Alternate No. 2 to the Stanislaus Area Association of Governments to replace Clyde H. Dunlap, Jr.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-231

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT COFFEE AND ORANGEBURG, ORANGEBURG AND CARVER, AND TULLY AND RUMBLE (Collins Electrical Co., Inc.)

WHEREAS, a report has been filed by the Director of Parking and Traffic that the construction of traffic signals and street lighting at Coffee and Orangeburg, Orangeburg and Carver, and Tully and Rumble has been completed by Collins Electrical Co., Inc.

in accordance with the contract agreement dated August 28, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of traffic signals and street lighting at Coffee and Orangeburg, Orangeburg and Carver, and Tully and Rumble be accepted from said contractor, Collins Electrical Co., Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $27,925.00 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meetingof the Council of the City of Modesto held on the 19th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-232

A RESOLUTION ACCEPTING THE BID OF MELVILLE E. WILLSON COMPANY TO FURNISH OUR ANNUAL REQUIREMENTS OF LIQUID AMMONIUM PHOSPHATE FOR A TERM ENDING JUNE 30, 1974

WHEREAS, Resolution No. 73-173 , adopted by the Council of the City of Modesto on February 26, 1973 , approved the plans and specifications for the furnishing of annual requirements of Liquid Ammonium Phosphate for a term ending June 30, 1974 and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of annual requirements of Liquid Ammonium Phosphate for a term ending June 30, 1974 were opened at 2:00 P.M. on March 13, 1973 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 Melville E. Willson Company at an estimated cost of $5,340.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Melville E. Willson Company at an estimated cost of $5,340.00 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 19th day of March, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-233

A RESOLUTION ACCEPTING THE BID OF MELVILLE E. WILLSON COMPANY TO FURNISH OUR ANNUAL REQUIREMENTS OF LIQUID ANHYDROUS AMMONIA FOR A TERM ENDING JUNE 30, 1974

WHEREAS, Resolution No. 73-172 , adopted by the Council of the City of Modesto on February 26, 1973 , approved the plans and specifications for the furnishing of annual requirements of Liquid Anhydrous Ammonia for a term ending June 30, 1974 and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of annual requirements of Liquid Anhydrous Ammonia for a term ending June 30, 1974 were opened at 2:10 P.M. on March 13, 1973 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 Melville E. Willson Company at an estimated cost of $42,075.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Melville E. Willson Company at an estimated cost of $42,075.00 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 19th day of March, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-234

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO (1403 La Loma, a portion of Block 2087 - Elburnus Garke)

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, and

WHEREAS, the Council, did, on February 12, 1973, adopt its Resolution No. 73-148, 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, the Council did by said resolution, set the 19th day of March, 1973, at 4:15 o'clock 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, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 73-148, and

WHEREAS, at the time set for hearing the protests and objections, if any, 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 incorporporated 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 Resolution No. 73-148 and Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California. (Sidewalk to be 5 foot in width)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-235

A RESOLUTION ESTABLISHING MUNICIPAL OFF-STREET PARKING LOTS IN THE CITY OF MODESTO, PROVIDING FOR CONTROL THEREON, AND RESCINDING RESOLUTION NO. 72-959.

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

SECTION 1. PARKING METER LOTS. (a) The following municipal off-street parking lots shall be controlled by parking meters:

(1)	PML-1	11th and G Street parking lot (PM-5 Zone)
(2)	PML-3	12th and I Street parking lot (southeast corner) (PM-9 Zone)
(3)	PML-4b	11th Street between H and I Streets (lower level) parking lot (PM-12 Zone)
(4)	PML-11	10th and H Street parking lot (PM-8 Zone)
(5)	PML-12	9th Street between J and K Street parking lot (PM-2 Zone)
(6)	PML-21	11th and K Street parking lot (PM-11 Zone)
(7)	PML-24	9th and J Street parking lot (PM-2 Zone)
(8)	PML-25	9th and I Street parking lot (Claremont Hotel Property) (PM-2 Zone)
(9)	PML-26	East side of 10th Street between K and L Streets (PM-2 Zone)
(10)	PML-27	Southern Pacific Depot between I and K Streets (PM-4 Zone)
(11)	PML-28	11th Street between I and J Street parking lot (PM-2 Zone)
(12)	PML-30	12th Street between J and K Streets (PM-3 Zone)
(13)	PML-32	10th Street between J and K Street parking lot (PM-2 Zone)

(b) The municipal off-street parking lots which are controlled by meters are shown on the Parking Meter Zoning Map adopted by Section 3-2.1501 of the Modesto Municipal Code. The time limits and rates of fees for parking in said parking meter zones are as set forth in Section 3-2.1504 of said Code.

SECTION 2. ATTENDANT LOTS. (a) The following municipal off-street parking lots are hereby established as attendant lots:

(1)	PAL-2	9th Street between I and J Street parking lot
(2)	PAL-4a	11th Street between H and I Street (street level) parking lot
(3)	PAL-17	Bank of California parking lot at 12th and J Streets
(4)	PAL-18	Seely Tower parking lot at 12th and J Streets
(5)	PAL-22	Sears parking lot, 11th Street between K and L Streets

(b) Vehicular parking on said municipal off-street parking lots shall be controlled and regulated by parking attendants as follows:

(1) PAL-2 and PAL-18

From 9:00 A. M. to 9:00 P. M., Monday through Saturday

(2) PAL-4a

From 8:00 A. M. to 9:00 P. M., Monday through Saturday

(3) PAL-17

From 9:00 A. M. to 9:00 P. M. on Saturdays and bank holidays only. Attendant parking may be used on any such additional special occasions as may be deemed appropriate by the City Manager

(4) PAL-22

From 9:00 A. M. to 6:00 P. M. on Tuesdays, Wednesdays and Saturdays, and from 9:00 A. M. to 9:00 P. M. on Mondays, Thursdays and Fridays, and on such special days as may be mutually agreed upon by the Director of Parking and Traffic of the City of Modesto and Sears Roebuck and Company

(c) The rate of ten (10¢) cents 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 attendant parking lots PAL-2, PAL-4a, PAL-17, PAL-18 and PAL-22.

(d) The price for validation stamps to be used with the validation system on attendant parking lots as provided by Section 3-2.1604 of the Modesto Municipal Code shall be fifteen (15¢) cents per stamp.

(e) The rate of five (5¢) cents per hour, or fraction thereof, when validated by the Stanislaus County Clerk for parking by persons serving on trial jurys, is hereby established for said attendant parking lot PAL-2.

(f) The Director of Parking and Traffic may designate spaces in attendant parking lots for the free parking of bicycles. When appropriate signs are erected, bicycles may be parked in such areas without charge.

SECTION 3. PARKING TICKET LOTS. (a) The following municipal off-street parking lots shall be controlled by ticket dispensing devices:

(1)	PTL-20	10th Street between G and H Street parking lot (Old City Hall)
(2)	PTL-23	10th Street between G and H Street parking lot (Brack-Griffin)

(b) Vehicular parking on said municipal off-street parking lots PTL-20 and PTL-23, shall be controlled by means of ticket dispensing devices from 9:00 A. M. to 4:30 P. M., Monday through Saturday.

(c) The rate of twenty-five (25¢) cents per day or fraction thereof is hereby established for said parking ticket lots PTL-20 and PTL-23.

SECTION 4. FREE LOTS. The following municipal off-street parking lots shall be free lots:

(a)	PL-10	8th Street between I and K Streets
(b)	PL-15	Fire Station parking lot (north side)
(c)	PL-16	Fire Station parking lot (south side)
(d)	PL-31	Lincoln School site

SECTION 5. MONTHLY PARKING PASSES. Monthly parking passes may be authorized by the Director of Parking and Traffic on any attendant or metered lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be as follows:

PML-25	9th and I Streets Parking Lot (Claremont Hotel Property)	$ 5.00
PML-27	Southern Pacific Depot Parking Lot between I and K Streets	$ 4.00
	All other attendant or metered lots	$10.00

Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking ticket lot. The charge for such passes shall be at the rate of Five and no/100ths ($5.00) Dollars per month.

SECTION 6. REPEALS. Resolution No. 72-959 adopted by the Council on August 21, 1972, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being

duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-236

A RESOLUTION APPROVING LEASE/AGREEMENT BETWEEN THE CITY OF MODESTO AND HENRY GONI FOR RENTAL OF RECENTLY ACQUIRED HOGIN PROPERTY FOR AGRICULTURAL PURPOSES (Dry Creek Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Henry Goni

for rental of recently acquired Hogin property for agricultural purposes (Rental to commence 3-20-73 and end 10-30-73 - City to receive 15% of the gross revenue from sale of peach crop)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said lease/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 March, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-237

A RESOLUTION APPROVING SUBMISSION OF ANNUAL TRANSPORTATION CLAIM TO STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (SAAG)

WHEREAS, money is available from the local transportation funds for use by the City of Modesto in carrying out various activities related to transportation; and

WHEREAS, the use of these funds is allocated annually from the Transportation Fund in accordance with established priorities; and

WHEREAS, The City's claim has been prepared in accordance with those priorities and provides for the use of the Transportation Funds as follows:

Bus System	$25,000
Bicycle Path Right of Way	25,000
El Vista Street Project	149,000
Briggsmore Project	153,700

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that submission of the Annual Transportation Claim to Stanislaus Area Association of Governments (SAAG) in amount of $352,700 for fiscal year 1973-74 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 March, 1973 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

W. T. Chynoweth

ATTEST: W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-238

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BURROUGHS CORPORATION FOR THE PURCHASE OF A B1712 COMPUTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Burroughs Corporation for the purchase of a B1712 computer (Cost of $122,330, with 25% payable on execution of the agreement and the balance on acceptance of equipment) 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 March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-239

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ASSOCIATED DATA SYSTEMS, INC. FOR PROGRAMMING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Associated Data Systems, Inc.

for programming

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 March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-240

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ASSOCIATED DATA SYSTEMS, INC. FOR COMPUTER SYSTEMS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Associated Data Systems, Inc.

for computer systems

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 the19th day of March 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-241

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $126,000 TO PROVIDE FUNDS FOR THE PURCHASE OF A COMPUTER

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (60-321)	$126,000
TO:	Computer-Burroughs B1712 (6910-41-321)	$126,000

(To provide an amount for the purchase of a computer according to the terms of the agreement with Burroughs)

B1712	$116,505.00
Sales Tax	5,825.25
Electrical Wiring	3,000.00
Freight	493.68
	$125,823.93

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-242

A RESOLUTION APPROVING THE FINAL MAP OF THE APPLEGATE NO. 4 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Brown and Kauffman, Inc., a corporation,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 9.97 acres, known as the Applegate No. 4 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 18th day of July, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Applegate No. 4 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 of the Applegate No. 4 Subdivision 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 in the amount of Two Thousand, Four Hundred Twenty-Seven and 25/100ths ($2,427.25) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 19th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-243

PURCHASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND EUGENE P. AND RAYE SIMMS AND ACCEPTING GRANT DEED FOR PROPERTY ACQUISITION (Dry Creek Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the purchase/agreement between the City of Modesto and Eugene P. and Raye Simms for property acquisition - Dry Creek Park (Purchase price is $89,750 and contains 15.4 acres in peaches) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said purchase/agreement and acceptance of Grant Deed 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 March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-244

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $50,000 TO PROVIDE ADDITIONAL FUNDS NEEDED FOR WATER LINE CONSTRUCTION IN NEW SUBDIVISIONS

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

GENERAL RESERVE FUND (101)

FROM:	General Reserve (60-101)	$50,000
TO:	Water Line Extension (6804-50101)	$50,000

(Initial $200,000 budget plus $50,000 transfer have been committed. Additional funding is needed for water line construction in new subdivisions. Best estimate at this time is that additional $120,000 may be required this budget year - requesting $50,000 now. Additional funds will be requested as need occurs.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-245

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $660.00 TO PROVIDE FUNDS TO PURCHASE A NEW SET OF WEST'S CALIFORNIA CODES FOR THE LAW LIBRARY

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Regular (110-13-101)	$660.00
TO:	Law Library (5501-13-101)	$660.00

(To enable the City Attorney's Office to purchase a new set of West's California Codes for the Law Library)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-246

A RESOLUTION APPROVING SALE OF CITY-OWNED SURPLUS LAW BOOKS

WHEREAS, the Council of the City of Modesto at its meeting of March 19, 1973 approved the purchase of a new set of West's California Codes at a cost of approximately $656.36.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the sale of the Deering's California Codes made surplus to the needs of the City by the purchase of a new set of West's California Codes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1973 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Vice Mayor Smith
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-247

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF W. M. SOELLING TO APPEAL THE PLANNING COMMISSION'S DENIAL TO REZONE PROPERTY AT SOUTHWEST CORNER OF OLD OAKDALE AND BRIGGSMORE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 23, 1973, at 7:40 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of W. M. Soelling to appeal the Planning Commission's denial to rezone property at southwest corner of Old Oakdale and Briggsmore.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-248

A RESOLUTION ACCEPTING THE BID OF GENERAL MOTORS CORPORATION FOR PURCHASE OF A BUS

WHEREAS, Resolution No. 73-143 , adopted by the Council of the City of Modesto on February 12, 1973 , approved the plans and specifications for the purchase of bus

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of bus

were opened at 2:00 P.M. on March 20, 1973 and later tabulated by the Director of Parking & Traffic for the consideration of the Council, and

WHEREAS, the Director of Parking & Traffic has recommended that the bid of General Motors Corporation in the amount of $28,737.30

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of General Motors Corporation in the amount of $28,737.30

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 March, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-249

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINES IN W. RUMBLE ROAD AND SUNSET COUNTRY ESTATES (Joe Martin)

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterlines in W. Rumble Road and Sunset Country Estates has been completed by Joe Martin

in accordance with the contract agreement dated January 8, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterlines in W. Rumble Road and Sunset Country Estates be accepted from said contractor, Joe Martin

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $17,543.51 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 26th day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-250

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. (SYLVAN SCHOOL NO. 2 ADDITION)

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 February 5, 1973, duly adopted Resolution No. 73-126 (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. 103 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, March 26, 1973, at the hour of 7:35 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. 103 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. 103 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. 103, 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. 103, 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 26th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R C Marshall
Public Works Department

R Hill 2-16-73

October 5, 1972

SYLVAN SCHOOL NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 10, 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 Northwest corner of the SYLVAN SCHOOL ADDITION (252) as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point being on the intersection of the West line of Section 9, which is also the center line of a public road known as Coffee Road, and the Westerly projection of the North line of the COFFEE TERRACE NO. 1 subdivision, as per map filed in Volume 22 of Maps, Page 47, Stanislaus County Records; thence along the section line common to Sections 9 and 10, North 00°47'20" West, 411.06 feet, to its intersection with the Westerly projection of the South line of the COFFEE VILLAGE subdivision, as per map filed in Volume 19 of Maps, Page 34, Stanislaus County Records; thence North 89°33'30" East, 2623.90 feet, to the North-South quarter section line of Section 10; thence along said quarter section line, South 00°53'20" East, 412.33 feet, to the Northeast corner of the SYLVAN SCHOOL ADDITION (252); thence along the existing City Limits and the Northern boundary of said ADDITION (252), South 89°35'10" West, 2624.63 feet, to the point of beginning, containing 24.802 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 26, 1973, 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 Councilman Elliott, seconded by Councilman Newton, and adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: 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 27, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-251

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(110).

WHEREAS, a verified application for an amendment to Sections 23-3-9 and 26-3-9 of the Zoning Map was filed by Steve M. Angelo on January 16, 1973, to reclassify from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of Lots 5 and 6, ELBERT TRACT, located in Sections 23 and 26, 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:

Beginning at the quarter section corner common to said Sections 23 and 26, said quarter corner being in the centerline of Sonoma Avenue; thence North 0° 43' 20" West along the North-South quarter section line of said Section 23, and the centerline of said Sonoma Avenue, a distance of 684.17 feet; thence leaving said North-South quarter section line and centerline of Sonoma Avenue the following nine (9) courses:

North 89° 16' 40" East 130.00 feet, South 68° 44' 50" East 93.36 feet, North 86° 52' 44" East 185.00 feet, North 81° 57' 33" East 112.86 feet, North 73° 05' 35" East 112.86 feet, North 64° 13' 32" East 112.86 feet, North 59° 47' 34" East 297.89 feet, North 68° 21' 10" East 82.82 feet, North 89° 15' 00" East 255.00 feet to the East line of said Lot 6 of the ELBERT TRACT; thence South 0° 45' East along said East line of Lot 6 a distance of 474.21 feet to the proposed centerline of Scenic Drive as shown on Official Plan Lines, Scenic Drive, recorded in Volume 1, Page 49, of Plan Lines, Instrument Number 30411, Stanislaus County Records; thence South 63° 36' 10" West along said proposed centerline, a distance of 894.00 feet to a tangent curve to the right; thence southwesterly 483.00 feet along said tangent curve, concave to the northwest, having a radius of 1000.00 feet and a central angle of 27° 40' 25", to a tangent line, said tangent line being a line parallel with and 15.00 feet, measured at right angles, northerly of the existing centerline of Scenic Drive; thence North 88° 43' 25" West along said parallel line a distance of 42.02 feet to the southerly prolongation of the aforementioned North-South quarter section line of Section 23; thence North 0° 43' 20" West along said line a distance of 31.29 feet to the point of beginning.

Containing: 18.49 Acres.

WHEREAS, after public hearing held on February 20, 1973, 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 subject property fronts on Scenic Drive, a major street, and has frontage on two (2) sixty (60') foot collector streets providing good vehicular access.

2. The proposed planned development zone conforms to the density criteria of the Scenic East Neighborhood Zoning and Development Policy.

3. The proposed development is a contemporary housing type of good design and layout.

WHEREAS, after a public hearing held on March 26, 19 73, the Council found and determined that the application of Steve M. Angelo 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 26th day of March, 19 73, reclassifying the above-described property from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D (110),

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 (110), is hereby approved in accordance with the plan titled "Plot Plan, Proposed P-D development for Steve Angelo" as amended on its face, dated February 20, 1973, which said plan is on file in the office of the Planning Director, subject to the following conditions:

1. That all development be in accordance with the plan referred to above.

2. That all parking and driveway areas be improved in accordance with the provisions of Sections 10-2.1601, 10-2.1604, and 10-2.1808 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.

3. Prior to the issuance of a building permit for the first phase of construction the developer shall make the following street dedications:

   a) Dedicate 10 feet of right-of-way on the Sonoma Avenue frontage
   b) Dedicate Eastridge Drive as a 60-foot collector street
   c) Dedicate 80-foot right-of-way for the new alignment of Scenic Drive

4. That prior to the issuance of a building permit, the owner shall divide the subject property from the remainder of the parcel in accordance with Chapter IV of Title 4 of the Modesto Municipal Code.

5. Prior to the issuance of a building permit, the developer shall submit street improvement plans prepared by a registered Civil Engineer for approval by the City Engineer.

6. That the entire development shall be served by positive storm drainage facilities in accordance with requirements of the City Engineer.

7. That the developer shall provide all street improvements in accordance with the requirements of the Director of Public Works as follows:

   a) Sonoma Avenue frontage shall be improved to City of Modesto collector street standards, including but not limited to concrete curb, gutter and sidewalk, street lights, and matching pavement.

b) Scenic Drive frontage shall be improved to the center line of the new alignment so as to meet City of Modesto standards, including pavement, curb, gutter, concrete sidewalk, and street lights.

c) Eastridge Drive - full 60-foot collector street standards, including curb, gutter, concrete sidewalk, street lights, and a barricade at the northern termination of Eastridge Drive if such a situation exists at which time the street is constructed.

8. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Director of Planning and the Director of Parks and Recreation. The landscaping and irrigation systems shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system.

9. That all landscaping, fences, and walls be maintained and that the premises be kept free of weeds, trash, and other debris.

10. That all dwelling units within the project shall be connected to public water and sanitary sewer facilities.

11. That prior to the issuance of a building permit, the developer shall submit a plan of all hydrants and the pipeline systems therefor for approval by the Fire Chief. The developer shall install 7 on-site fire hydrants and the pipeline systems as required by the Fire Chief.

12. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting 73 street trees.

13. That any signs accessory to this development shall comply with the R-2 Zone sign provisions.

14. That only those public improvements, including fire hydrants, relating to each respective phase of development are required to be installed prior to occupancy of that phase of development or by the completion date for each phase as outlined in the development schedule.

15. Prior to the issuance of a building permit, if all required public improvements have not been installed, a cash deposit, savings and loan certificate, surety bond or other instrument of credit in an amount to be determined by the City Engineer shall be filed with the City Clerk to guarantee installation of public improvements including fire hydrants, prior to occupancy, or by the completion date for each respective phase of development, whichever occurs first.

16. That prior to the issuance of a building permit for any development, the developer shall submit evidence satisfactory to the City Attorney that there has been created a Homeowner's Association to guarantee maintenance of the entire premises including all structures, all parking and driveway areas, and all landscaping and recreation facilities.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (110):

That the entire construction program be accomplished in 3 phases.

Phase 1 - Being the Southwest quarter of the development facing on Sonoma Avenue and the realignment of Scenic Drive. Construction to begin on or before May 1, 1975 and be completed not later than May 1, 1976.

Phase 2 - Being the Northwest quarter of the development facing on Sonoma Avenue. Construction to begin on or before May 1, 1976 and be completed not later than May 1, 1977.

Phase 3 - Being the East half of the development. Construction to begin on or before May 1, 1977 and be completed not later than May 1, 1978.

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 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 (110) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Nichols
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-252

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND YOSEMITE JUNIOR COLLEGE DISTRICT FOR USE OF PROPERTY LOCATED WEST OF THE SOUTHERN PACIFIC RAILROAD, NORTH OF BLUE GUM AVENUE, AND EAST OF CARPENTER ROAD EXTENSION FOR FIRE STATION AND TRAINING SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Yosemite Junior College District

for use of property located west of the Southern Pacific Railroad, north of Blue Gum Avenue, and east of Carpenter Road extension for Fire Station and Training 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 26th day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-253

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. FRANCIS ATTERBERRY AND ACCEPTING GRANT DEED (Widening of McHenry Avenue)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mr. and Mrs. Francis Atterberry for the widening of McHenry Avenue is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-254

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES V. AND BONNIE J. HIGH FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1521 ROSE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and James V. and Bonnie J. High

for sewer service to property outside the City at 1521 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 26th day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-255

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HERBERT C. AND LUCILLE E. LATIMER FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 902 CALIFORNIA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Herbert C. and Lucille E. Latimer

for sewer service to property outside the City at 902 California

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 March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-256

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STEWART AND JASPER POULTRY RANCH AND WEEKS REAL ESTATE FOR THE INSTALLATION OF WATERLINES IN KINGSWOOD ESTATES NO. 2 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stewart and Jasper Poultry Ranch and Weeks Real Estate for installation of waterlines in Kingswood Estates No. 2 Subdivision located east of Coffee Road and south of Sylvan 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 26th day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-257

A RESOLUTION APPROVING THE FINAL MAP OF THE LINCOLN SQUARE SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Mid Coast Mortgage Co., a corporation, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 9.721 acres, known as the Lincoln Square Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 19th day of December, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Lincoln Square 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 of the Lincoln Square Subdivision 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 in the amount of Five Hundred Seventy-Four and 70/100ths ($574.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid,

BE IT FURTHER RESOLVED that subdividers have furnished improvement security as defined in Section 11613 of the Business and Professions Code of the State of California. Said improvement security, which has been approved as to form by the City Attorney and approved as to sufficiency by the Director of Finance and is in the amounts required by the Agreement hereinafter referred to, and secures the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612 of the Business and Professions Code of the State of California, is approved.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 26th day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-258

A RESOLUTION APPROVING THE FINAL MAP OF THE ARINGTON MANOR SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Stewart and Jasper Poultry Ranch, a corporation, and Weeks Real Estate, a corporation,

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 14.789 acres, known as the ARINGTON MANOR Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 15th day of February, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said ARINGTON MANOR 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 of the ARINGTON MANOR Subdivision 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 in the amount of One Thousand, Three Hundred Twenty-Three and 70/100ths ($1,323.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 26th day of March, 19 73, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-259

A RESOLUTION APPROVING CONSOLIDATED CALL FOR BIDS FOR GASOLINE WITH STANISLAUS COUNTY, FOR CITY'S ANNUAL NEEDS FOR PERIOD COMMENCING JULY 1, 1973

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Purchasing Officer is hereby authorized to join with the Stanislaus County Purchasing Agent in a consolidated call for bids for furnishing the annual requirements of the City of Modesto for gasoline for a one-year period commencing July 1, 1973.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/02-07

MODESTO CITY COUNCIL
RESOLUTION NO. 73-260

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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 improvements described in the notices which are attached hereto and incorporated by reference herein.

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 16th day of April, 1973, at 4:05 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 March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

(a) Sidewalk at 1732 Miller Avenue, a portion of Block 2125-A. (Southern Calvary Baptist Church)

(b) Sidewalk along Miller Avenue at 1503 Miller Avenue, the South 55 feet of Lot 7 of Block 2097. (Richard H. Beach)

(c) Sidewalk along Miller Avenue at 1315 La Loma, Block 2086-A. (La Loma Grace Brethren)

(d) Sidewalk at 2024 Miller Avenue, Lot 7 of Block 2224. (Glenn A. Cain)

(e) Sidewalk along Miller Avenue at 201 Severin Avenue, Lot 6 of Block 2127. (John P. Collins)

(f) Sidewalk along Miller Avenue at 202 Camellia Way, Lot 7 of Block 2127. (Merrill B. Farrand)

(g) Sidewalk at 1827 Miller Avenue, Lot 3 of Block 2184. (Joe Febela)

(h) Sidewalk along Miller Avenue at 1802 Miller Avenue, the North 59 feet of Lot 17 of Block 2155. (Harold L. Frey)

(i) Sidewalk along Miller Avenue at 201 Ferguson Avenue, Lot 6 of Block 2132-A. (John A. Greer)

(j) Sidewalk along Miller Avenue at 1605 Miller Avenue, Lot 7 of Block 2132. (Clarence A. Hedger)

(k) Sidewalk at 1831 Miller Avenue, Lot 2 of Block 2184. (Kenneth Hilliker)

(l) Sidewalk at 2033 Miller Avenue, the East 62 feet of Lot 20 of Block 2225. (Kenneth Hilliker)

(m) Sidewalk along Miller Avenue at 1865 Maria Ct., Lot 1 of Block 2155. (Theo Hoggatt)

(n) Sidewalk at 1823 Miller Avenue, Lot 4 of Block 2184. (Evanna Holden)

(o) Sidewalk along Miller Avenue at 2102 Miller Avenue, Lot 9 of Block 2263. (James E. Howard)

(p) Sidewalk along Miller Avenue at 1702 Miller Avenue, Lot 1 of Block 2125-A. (Marvin A. Kaminska)

(q) Sidewalk along Miller Avenue at 204 N. Conejo Avenue, a portion of Block 2184. (Euell R. Lamb)

(r) Sidewalk along Miller Avenue at 201 Camellia Way, Lot 6 of Block 2097. (Fred O. Lockhart)

(s) Sidewalk along Miller Avenue at 201 Rosina Avenue, Lot 6 of Block 2132. (Antonio C. Lopez)

(t) Sidewalk at 2029 Miller Avenue, Lot 19 and the West 1 foot of Lot 20 of Block 2225. (Robert R. Mota)

Requirement for construction of sidewalks, (continued)

(u) Sidewalk along Miller Avenue at 201 N. Conejo Avenue, Lot 6 of Block 2157. (Albert E. Pester, III)

(v) Sidewalk at 1819 Miller Avenue, Lot 5 of Block 2184. (Raymond B. Pike)

(w) Sidewalk along Miller Avenue at 160 Camellia Way, Lot 1 of Block 2126. (Jesse Reinhart)

(x) Sidewalk along Miller Avenue at 1750 Miller Avenue, a portion of Block 2125-A. (Nadine D. Singer)

(y) Sidewalk at 2025 Miller Avenue, Lot 18 of Block 2225. (Alvin E. Skeen)

(z) Sidewalk at 2041 Miller Avenue, Lot 22 of Block 2225. (Marion B. Smith)

(aa) Sidewalk along Miller Avenue at 1705 Miller Avenue, Lot 7 of Block 2132-A. (Rose R. Smith)

(bb) Sidewalk along Miller Avenue at 1835 Miller Avenue, Lot 1 of Block 2184. (John B. Sperin)

(cc) Sidewalk along Miller Avenue at 1826 Miller Avenue, Lot 8 of Block 2155. (Donald E. Spiva)

(dd) Sidewalk along Miller Avenue at 203 Rowland Avenue, Lots 15 and 16 of Block 2061. (Richard L. Suzuki)

(ee) Sidewalk along Miller Avenue at 202 Ferguson Avenue, Lot 7 of Block 2157. (Bill L. Tillman)

(ff) Sidewalk along Miller Avenue at 1721 Yosemite Avenue, a portion of Block 2125-A. (Harry B. Wilkinson)

(gg) Sidewalk along Miller Avenue at 147 El Vista Avenue, Lot 1 of Block 2263. (Herman C. Winters)

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Calvary Southern Baptist

ADDRESS 1732 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 161.1 feet of the East 338.02 feet of the North 460 feet, more or less, of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 116-0421-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the North side of Block 2125-A in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Richard H. Beach

ADDRESS 1503 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 55 feet of Lot 7 of Block 2097 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1536-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2097 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05p.m. on the 16th day of April, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME LaLoma Grace Brethren

ADDRESS 1315 La Loma, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

That portion lying North of La Loma of Lot 13 of Severin Colony as per map filed July 18, 1908, in Volume 3 of Maps, Page 47, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1622-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the North side of Block 2086-A in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME John P. Collins

ADDRESS 201 Severin Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 2127 of Covena Park Tract #2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0336-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2127 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Merrill B. Farrand

ADDRESS 202 Camellia Way, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 53.35 feet of Lot 7 of Block 2127 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0349-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2127 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Joe Febela

ADDRESS 3234 7th Street, Ceres, California 95307

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 3 of Block 2184 of Schultz Tract as per map filed August 25, 1947 in Volume 16 of Maps, Page 48, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0754-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot sidewalk along the street frontage abutting Miller on the South side of Block 2184 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Harold L. Frey

ADDRESS 1802 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 59 feet of Lot 17 of Block 2155 of Uccello Tract No. 2 as per map filed July 18, 1949 in Volume 16 of Maps, Page 59, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0909-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the North side of Block 2155 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME John A Greer

ADDRESS 201 Ferguson Avenue, Modesto, California 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 2132-A of Covena Park Tract # 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0439-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2132-A in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Clarence A. Hedger

ADDRESS 1605 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 2132 of Covena Park Tract #2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0325-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2132 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Kenneth Hilliker

ADDRESS 1750 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 of Block 2184 of Schultz Tract as per map filed August 25, 1947 in Volume 16 of Maps, Page 48, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0755-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2184 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05p.m. on the 16th day of April, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Kenneth V. Hilliker

ADDRESS 1750 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 62 feet of Lot 20 of Block 2225 of Alta Vista Tract as per map filed September 12, 1946 in Volume 14 of Maps, Page 75, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-1251-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2225 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Theo Hoggatt

ADDRESS 1865 Maria Court, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 2155 of Uccello Tract No. 2 as per map filed July 18, 1949 in Volume 16 of Maps, Page 59, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0919-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the North side of Block 2155 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Evanna Holden

ADDRESS 404 S. Emerald Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 4 of Block 2184 of Schultz Tract as per map filed August 25, 1947 in Volume 16 of Maps, Page 48, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0753-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2184 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Michael D. Deffley

ADDRESS 11236 N. Sawyer Road, Oakdale, Ca. 95361

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 2125-A of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0450-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the North side of Block 2125-A in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

for Richard T. Oliveira

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Euell R. Lamb

ADDRESS 204 N. Conejo Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The 97 feet of the South 140 feet of the East 131 feet, more or less, of the West 161 feet, more or less, of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 116-0751-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2184 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Fred O. Lockhart

ADDRESS 201 Camellia Way, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 2097 of Covena Park Tract #2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1549-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2097 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 19 73.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Antonio C. Lopez

ADDRESS 201 Rosina Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 2132 of Covena Park Tract #2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0306-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2132 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Robert R. Mota

ADDRESS 2029 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 19 and the West one foot of Lot 20 of Block 2225 of Alta Vista Tract as per map filed September 12, 1946 in Volume 14 of Maps, Page 75, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-1252-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2225 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Albert E Pester III

ADDRESS 201 N. Conejo Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 2157 of Covena Park Tract #2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0409-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2157 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Raymond B. Pike

ADDRESS 3405 Lancashire Lane, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 5 of Block 2184 of Schultz Tract as per map filed August 25, 1947 in Volume 16 of Maps, Page 48, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0752-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2184 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Jesse Reinhart

ADDRESS 160 Camellia Way, Modesto, California 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 2126 of Rosa Tract as per map filed August 16, 1949 in Volume 16 of Maps, Page 61, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0348-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the North side of Block 2126 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Nadine D. Singer

ADDRESS 1750 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 156.7 feet of the East 177.07 feet of the North 50 feet of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 116-0410-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk and replace 22.3 foot curb cut with standard curb along the street frontage abutting Miller on the North side of Block 2125-A in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:
TO: NAME Marion B. Smith

ADDRESS 3425 Pioneer Road, Hughson, California 95326

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 22 of Block 2225 of Alta Vista Tract as per map filed September 12, 1946 in Volume 14 of Maps, Page 75, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-1249-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2225 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Rose R. Smith & Virginia R. Amos

ADDRESS 1705 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 2132-A of Covena Park Tract #2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0451-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2132-A in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME John P. Sperin

ADDRESS 1835 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 2184 of Schultz Tract as per map filed August 25, 1947 in Volume 16 of Maps, Page 48, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0756-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2184 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Donald E. Spiva

ADDRESS 1826 Miller Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 of Block 2155 of Uccello Tract No. 2 as per map filed July 18, 1949 in Volume 16 of Maps, Page 59, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0918-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the North side of Block 2155 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or prctests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 19 73, in the City Council chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Street shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Richard L. Suzuki

ADDRESS 203 Rowland Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 15 and 16 of Block 2061 of E. H. Gum Subdivision as per map filed May 10, 1938 in Volume 11 of Maps, Page 42, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1533-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2061 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or prctests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 19 73, in the City Council chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Street shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Bill L. Tillman

ADDRESS 202 Ferguson Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 2157 of Covena Park Tract #2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0422-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the South side of Block 2157 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or prctests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 19 73, in the City Council chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Street shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Harry B. Wilkinson

ADDRESS 1721 Yosemite Blvd., Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 100 feet of the East 438.02 feet of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 116-0440-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the North side of Block 2125-A in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
TO: NAME Herman C. Winters

ADDRESS 147 El Vista Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 2263 of Alta Vista Tract #2 as per map filed May 15, 1947 in Volume 16 of Maps, Page 43, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-9401-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

4 foot wide sidewalk along the street frontage abutting Miller on the North side of Block 2263 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 16th day of April, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated this 26th day of March, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-261

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 April 16, 1973, at 4:10 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 attached 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 March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(a) Sidewalk along La Loma at 319 Las Palmas Avenue, a portion of Block 2022. (Roger D. Jones - $323.80)

(b) Sidewalk along W. Briggsmore Avenue at 1801 Aloha Way, Lot 8 of Block 6813. (Herman Mayberry - $204.40)

(c) Sidewalk at 321 W. Briggsmore Avenue, a portion of Block 6808. (Ludwig Erickson - $135.00)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-262

A RESOLUTION APPROVING THE FINAL MAP OF THE NORTHRIDGE NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Tempo Homes, Inc., a corporation, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 15.256 acres, known as the Northridge No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 21st day of March, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Northridge No. 1 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 of the Northridge No. 1 Subdivision 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 in the amount of Three Thousand, Six Hundred Ninety-Five and no/100ths ($3,695.00) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid.

BE IT FURTHER RESOLVED that subdividers have furnished improvement security as defined in Section 11613 of the Business and Professions Code of the State of California. Said improvement security, which has been approved as to form by the City Attorney and approved as to sufficiency by the Director of Finance and is in the amounts required by the Agreement hereinafter referrred to, and secures the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612 of the Business and Professions Code of the State of California, is approved.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 23rd day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-263

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF STANISLAUS FOOD PRODUCTS COMPANY FOR AN ENCROACHMENT PERMIT TO ENLARGE THEIR TRANSFORMER TOWER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 2, 1973 , at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Stanislaus Food Products Company for an encroachment permit to enlarge their transformer tower.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March , 1973 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-264

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MR AND MRS. GERALD SCHWEITZER AND ACCEPTING GRANT DEED (Widening of Tully Road at the Olympic Gold Ice Arena)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mr. and Mrs. Gerald Schweitzer for the widening and improvement of Tully Road south of Stoddard at the Olympic Gold Ice Arena is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Coincilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-265

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF COLEMAN ACRES NO. 3 SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-39, adopted March 20, 19 73, approved the tentative map of COLEMAN ACRES NO. 3 SUBDIVISION, and

WHEREAS, the approval by the Planning Commission of the tentative map of COLEMAN ACRES NO. 3 SUBDIVISION was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed COLEMAN ACRES NO. 3 Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 26th day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-266

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF SYLVAN MEADOWS EAST NO. 1 and 2 SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-43, adopted March 20, 19 73, approved the tentative map of SYLVAN MEADOWS EAST NO. 1 and 2 SUBDIVISION, and

WHEREAS, the approval by the Planning Commission of the tentative map of SYLVAN MEADOWS EAST NO. 1 and 2 SUBDIVISION was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed SYLVAN MEADOWS EAST NO. 1 and 2 Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 26th day of March, 19 73, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-267

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $866 TO PROVIDE FUNDS NEEDED FOR THE PURCHASE OF QUICK CALL UNITS

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

AIRPORT FUND (230)

FROM:	General Reserve (60-46-230)	$866.00
TO:	Quick Call Units (5401-46-230)	$866.00

(The City Council on September 18, 1972, approved the purchase of these "quick call units" in the Airport Security Plan. See memo from the Director of Public Works to City Manager dated September 8, 1972, for further details)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-268

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF JOHN H. UHL FOR RELIEF FROM CONDITION IMPOSED BY P-D ZONING REQUIRING FULL SIDEWALK AT 430 - 14TH STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 16, 1973, at 4:15 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of John H. Uhl for relief from condition imposed by P-D zoning requiring full sidewalk at 430 - 14th Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-269

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,000 TO PROVIDE FUNDS NEEDED FOR DOWNTOWN PLANTING OF TREES

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

DOWNTOWN IMPROVEMENT DISTRICT AREA A FUND (218)

FROM:	D.I.D. contingency reserve (62-218)	$500.00
	City contingency reserve (61-218)	$500.00
TO:	Beautification (5399-218)	$1,000.00

(To provide for purchase of twenty trees to be planted at seven different sites in the downtown area)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-270

A RESOLUTION ACCEPTING THE BID OF LEWIS DANNELS FOR INSTALLATION OF WATER-LINES IN MAZE BOULEVARD

WHEREAS, Resolution No. 73-210 , adopted by the Council of the City of Modesto on March 12, 1973 , approved the plans and specifications for the installation of waterlines in Maze Boulevard

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Maze Boulevard
were opened at 10:10 A.M. on March 27, 1973 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 Lewis Dannels in the amount of $29,843.75

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lewis Dannels in the amount of $29,843.75

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 2nd day of April, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-271

A RESOLUTION APPROVING WITHDRAWAL OF BID BY JIM FINE & CO. FOR CONSTRUCTION OF SUBTRUNK SEWER, DALE ROAD

WHEREAS, bids for construction of a subtrunk sewer on Dale Road between Conant Avenue and Prescott Road, were opened March 20, 1973 at 10:00 A.M.; and

WHEREAS, the apparent low bidder, Jim Fine & Co. has declared an error in preparation of the bid and has requested permission to withdraw the bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that withdrawal of bid of Jim Fine & Co. for construction of a subtrunk sewer, Dale Road between Conant Avenue and Prescott Road, 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 April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-272

A RESOLUTION ACCEPTING THE BID OF TAYLOR CONSTRUCTION CO. FOR CONSTRUCTION OF SUBTRUNK SEWER ON DALE ROAD BETWEEN CONANT AVENUE AND PRESCOTT ROAD

WHEREAS, Resolution No. 73-192 , adopted by the Council of the City of Modesto on March 5, 1973 , approved the plans and specifications for the construction of subtrunk sewer on Dale Road between Conant Avenue and Prescott Road
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of subtrunk sewer on Dale Road between Conant Avenue and Prescott Road
were opened at 10:00 A.M. on March 20, 1973 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 Taylor Construction in the amount of $23,597.20

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Taylor Construction in the amount of $23,597.20

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 2nd day of April, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-273

A RESOLUTION ACCEPTING THE BID OF MARV YADON CONSTRUCTION FOR THE CONSTRUCTION OF SUBTRUNK SEWER ON SYLVAN AVENUE AND ROAD EAST OF BEYER HIGH

WHEREAS, Resolution No. 73-190 , adopted by the Council of the City of Modesto on March 5, 1973 , approved the plans and specifications for the construction of subtrunk sewer on Sylvan Avenue and road east of Beyer High and authorized the calling for bids, and

WHEREAS, the bids received for the construction of sbutrunk sewer on Sylvan Avenue and road east of Beyer High were opened at 10:00 A.M. on March 27, 1973 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 Marv Yadon Construction in the amount of $23,943.20

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Marv Yadon Construction in the amount of $23,943.20

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 2nd day of April, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-274

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN ARINGTON MANOR AND KINGSWOOD ESTATES NO. 2

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

SECTION 1. The plans and specifications for installation of Waterlines in Arington Manor and Kingswood Estates No. 2 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 17, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 19 73 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-275

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO STANISLAUS FOOD PRODUCTS TO PERMIT ENLARGEMENT OF TRANSFORMER TOWER

WHEREAS, Stanislaus Food Products Company, in a letter dated March 21, 1973, has requested that an encroachment permit be granted to permit enlargement of its transformer tower, as requested by the Modesto Irrigation District; and

WHEREAS, April 2, 1973, at 4:10 P.M. in the Council Chambers, City Hall, was set as the time and place for consideration of the request; and

WHEREAS, the encroachment will consist of installation of an additional eight (8) inch H Column in the public right of way on the 12th Street side of the property for enlargement of the transformer tower; and

WHEREAS, the Director of Public Works has recommended that the encroachment permit be granted subject to conditions set forth in Sections 7-1.101 through 7-1. 112 of the Modesto Municipal Code pertaining to encroachments in the sidewalk planting strip area.

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

SECTION 1. An Encroachment permit, revocable upon demand of the City of Modesto, is hereby granted to Stanislaus Food Products to permit enlargement of its transformer tower by placing an additional eight (8) inch H Column on the outside of the building on the 12th Street side.

SECTION 2. Said revocable encroachment permit is granted subject to the conditions set forth herein, which conditions permittee agrees, by acceptance of this permit, to faithfully perform:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee shall file a copy of policy or certificate of insurance with the City Clerk as required by Section 7-1.109 of the Mumicipal Code for all encroachments in the public right of way.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have ten (10) days from and after the adoption of this resolution within which to file written acceptance of this permit 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 2ndday of April, 1973, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 276

A RESOLUTION ADOPTING ENVIRONMENTAL IMPACT GUIDELINES.

WHEREAS, Sections 21000 - 21174 of the California Public Resources Code, as amended by Chapter 1154 of the Statutes of 1972 (AB 889) comprise the California Environmental Quality Act of 1970, and

WHEREAS, the Secretary of the California Resources Agency, pursuant to the provisions of California Public Resources Code Section 21083, has adopted "Guidelines for Implementation of the California Environmental Quality Act of 1970" to be followed in the implementation of the Environmental Quality Act of 1970, and

WHEREAS, Section 21082 of the California Public Resources Code require all public agencies to adopt objectives, criteria and procedures, consistent with the provisions of said Code sections and the Guidelines adopted by the Secretary of the California Resources Agency for the evaluation of projects and the preparation of environmental impact reports, and

WHEREAS, Chapter 9 of Title IV of the Modesto Municipal Code (Sections 4-9.01 - 4-9.04) authorize the adoption by resolution of guidelines for determining what projects may have a significant effect on the environment and for the preparation and approval of environmental impact reports, and

WHEREAS, this Council by Resolution No. 72-1137 has previously adopted Environmental Impact Report Guidelines,

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

1. That the attached document entitled "City of Modesto Environmental Impact Guidelines", dated April 2, 1973, be and it is hereby adopted for the City of Modesto.

2. That all public projects and actions which may have a significant effect on the environment and all private projects for which a permit, license or other similar entitlement from the city is required shall comply with said Guidelines.

3. That an Environmental Impact Assessment Committee composed of at least three (3) members of the city staff shall be appointed by the City Manager to review all such public and private projects and actions for conformity with said guidelines and the Environmental Quality Act of 1970 and the Guidelines adopted by the Secretary of the California Resources Agency and to make environmental assessments and take such other actions as are authorized by the Guidelines adopted hereby.

4. In the event it is determined, based upon an Environmental Impact Report, that such project or action may have a significant effect on the environment, such project or action may be deferred, denied, in whole or in part, or have reasonable conditions imposed upon it, based upon such significant effect on the environment.

5. That any person aggrieved by any action taken by said Committee or any other city official pursuant to said Guidelines may appeal to the City Council pursuant to the provisions of Chapter 4 of Title I of the Modesto Municipal Code. The decision by the City Council on such appeal shall be final.

6. Any action or proceeding to attack, review, set aside, void or annul any decision on matters covered by this resolution or by said guidelines, or concerning any of the proceedings, acts or determinations taken, done or made prior to such decision, or to determine the reasonableness, legality or validity of any condition attached thereto, shall not be maintained by any person unless such action or proceeding is commenced within thirty (30) days after the date of such decision. Thereafter, all persons are barred from any such action or proceeding or any defense of invalidity or unreasonableness of such decision or of such proceedings, acts or determination.

7. Nothing in this resolution shall preclude the City of Modesto from taking such other action in respect to the approval, conditional approval, denial or revocation of any permit, license or other similar entitlement as is deemed necessary by the city in order to obtain full compliance with the requirements of the Environmental Quality Act of 1970.

8. The provisions of this resolution and the Guidelines adopted hereby shall supersede and replace the provisions of Resolution No. 72-1137 and the Guidelines adopted thereby; provided however, that the review of all public and private projects commenced under said previous Guidelines shall be coordinated with procedures outlined in the Guidelines adopted hereby in completing the review and approval of such projects.

9. All actions heretofore taken by officials of the City of Modesto to review and approve public and private projects and actions for purposes of insuring compliance with the California Environmental Quality Act of 1970 are hereby ratified and approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

ENVIRONMENTAL IMPACT GUIDELINES

Adopted by Modesto City Council
Resolution No. 73-276
April 2, 1973

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SECTION I. INTRODUCTION

These Guidelines establish procedures for the identification and analysis of environmental impact of projects, and the preparation and processing of Environmental Impact Reports for such projects when significant impacts on the environment are anticipated.

A. Legal Requirements

Sections 21000-21174 of the California Public Resources Code, as amended by Chapter 1154 of the Statutes of 1972 (AB889), comprise the California Environmental Quality Act of 1970.

The Act requires a determination of possible significant impact on the environment be made for most local projects. In addition, the National Environmental Protection Act makes similar requirements for certain federally funded local projects.

B. State Policy

The legislature has declared that it is the policy of the State to:

(1) Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate and enhance the environmental quality of the state.

(2) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.

(3) Prevent the elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.

(4) Ensure that the long-term protection of the environment shall be the guiding criterion in public decisions.

(5) Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.

(6) Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.

(7) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs, and to consider alternatives to proposed actions affecting the environment.

C. City of Modesto Policy

While project-by-project analysis of environmental impact is the thrust of the California Environmental Quality Act of 1970 and the National Environmental Protection Act, the City of Modesto will endeavor also to place emphasis on the environmental impact of the comprehensive urban planning process as embodied primarily in the General Plan.

In this manner, environmental review by the City of Modesto will be considered at two levels:

(1) The environmental impact of the long-term plans of the community;

(2) The environmental impact of a given project on the long-term plans of the community and on specific environmental concerns such as natural waterways, etc.

SECTION II. DEFINITIONS

The definitions that follow are based on the "Guidelines for Implementation of the California Environmental Quality Act of 1970" adopted on February 3, 1973, by the California Resources Agency and are intended to clarify, but not replace or negate, the definitions used in the California Environmental Quality Act of 1970.

A. Approval means the decision by the City which commits the City to a definite course of action in regard to a project intended to be carried out by the City, any person, or any other public agency. These guidelines also indicate situations where the staff Environmental Assessment Committee, by Negative Declaration, can approve a project by clearing it of further environmental review.

B. California Environmental Quality Act (CEQA) means California Public Resources Code Sections 21000 through 21174, as amended.

C. Categorical Exemption means an exemption from the requirement for the preparation of an environmental impact report for a class of projects based on a finding by the Secretary of the California Resources Agency that the class of projects does not have a significant effect on the environment.

D. City means the City of Modesto or the City Council, Board of Zoning Adjustment, Planning Commission, Environmental Assessment Committee or authorized official of the City.

E. Discretionary Project means an activity defined as a project which requires the exercise of judgment, deliberation, or decision on the part of the City in the process of approving or disapproving a particular activity, as distinguished from situations where the City merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.

F. Emergency means a sudden and catastrophic calamity caused by an occurrence or combination of occurrences of statewide or local impact, such as fire, flood, earthquake or other natural disaster, riot, war, accident, or sabotage.

G. Environment means the physical conditions which exist in the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

H. Environmental Assessment means checklist review of a Discretionary Project to determine whether the project may have a significant effect, thereby requiring an EIR or whether it does not and a Negative Declaration can be filed.

I. Environmental Assessment Committee means a City staff committee whose primary purpose is to screen discretionary projects to determine whether a project is eligible for a Negative Declaration or whether an EIR is required.

J. Environmental Impact Report (EIR) means a detailed statement setting forth the environmental effects and considerations pertaining to a project as specified in Section 21100 of the California Environmental Quality Act.

1. Draft EIR means an EIR prepared according to Section VII A of these guidelines.

2. Final EIR means an EIR prepared according to Section VII B of these guidelines. The Final EIR is an informational document to inform public bodies such as the City Council, Board of Zoning Adjustment and Planning Commission and the general public of the environmental effect of projects. The EIR provides environmental input in addition to the economic and social input necessary for a balanced decision.

K. Environmental Impact Statement (EIS) means an environmental impact report prepared pursuant to the National Environmental Policy Act (NEPA). The Federal Government uses the term EIS in place of the term EIR which is used in CEQA.

L. Feasible means capable of being accomplished in a successful manner by reasonably available economic and workable means.

M. General Plan means the Modesto Urban Area General Plan, as adopted by the City Council in 1965, including all present and future revisions and amendments.

N. Lead Agency means the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect on the environment where more than one public agency is involved with the same underlying activity.

O. Ministerial Projects as a general rule include those activities defined as projects which are undertaken or approved by a governmental decision which a public officer or public agency makes upon a given state of facts in a prescribed manner in obedience to the mandate of legal authority. With these projects, the officer or agency must act upon the given facts without regard to his own judgment or opinion concerning the propriety or wisdom of the act, although the statute, ordinance, or regulation may require, in some degree, a construction of its language by the officer.

P. Negative Declaration means a statement by the Environmental Assessment Committee that a project, although not categorically exempt, would not have a significant effect on the environment, and therefore does not require an EIR.

Q. Notice of Completion means a brief report filed with the Secretary of the California Resources Agency when the City has completed a Draft EIR for review. The contents of this notice shall include:

1. A brief description of the project.
2. The proposed location of the project.
3. An address where copies of Draft EIR are available.

R. Notice of Determination means a notice to be filed with the Stanislaus County Clerk by the City when it approves or determines to carry out a project which is subject to the requirements of CEQA. The contents of this report shall include:

1. The decision by the City to approve or disapprove the project.

2. The determination by the City whether the project will or will not have a significant effect on the environment.

3. Whether an EIR has been prepared.

S. Person includes any person, firm, association, organization, partnership, business, trust, corporation, company, district, county, city and county, city, town, the State, and any political subdivisions of such entities.

T. Project means the whole of an action resulting in physical impact on the environment, directly or ultimately, that is any of the following:

1. An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption of the General Plan and other long-term plans of the community.

2. An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.

3. An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

"Project" does not include:

4. Anything specifically exempted by State law.

5. Continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, emergency repairs to public service facilities, general policy and procedure-making (except as they are applied to specific instances covered above), and feasibility or planning studies.

6. The submittal of proposals to a vote of the people.

U. Public Agency includes any state agency, board or commission and any local or regional agency. It does not include the courts of the state nor the agencies of the federal government.

V. Responsible Agency means the public agency which proposes to undertake or approve a project and is responsible for making a Negative Declaration or for the preparation of an EIR.

W. Significant Effect means a substantial adverse impact on the environment.

SECTION III. PROJECTS NOT REQUIRING ENVIRONMENTAL ASSESSMENTS

A. Certain Ongoing Projects

1. Ongoing projects under the jurisdiction of the National Environmental Policy Act (NEPA) which are deemed too far advanced at the time of NEPA's effective date to require an EIS do not require an environmental assessment.

2. A project as defined in Section II, paragraph T2, or a contract as defined in Section II, paragraph T3, approved prior to April 5, 1973.

3. A discretionary project involving the issuance prior to April 5, 1973, of a lease, permit, license, certificate, or other entitlement by the City for the project, or for part of the project if another or additional approval of said discretionary project by the City, after April 5, 1973, does not involve a greater degree of responsibility and control over the project as a whole.

B. Certain Feasibility and Planning Studies

A project involving only feasibility or planning studies for possible future actions which the City has not approved, adopted, or funded, requires consideration of environmental factors but not the preparation of an EIR. In keeping with the City's policy of monitoring environmental impact of long-term planning, the City may prepare an EIR on some of its feasibility and planning studies.

C. Emergency Projects

1. Projects in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor.

2. Emergency repairs to public service facilities necessary to maintain service.

3. Projects undertaken as immediate action necessary to prevent or mitigate an emergency.

D. Ministerial Projects

Ministerial projects, including the issuance of building permits, issuance of business licenses, approval of final subdivision maps, and approval of individual utility service connections and disconnections, do not need environmental assessments.

E. Projects with Categorical Exemptions

The following classes of projects are determined not to have a significant effect on the environment, are consistent with the class of categorical exemptions as determined by the Secretary of the California Resources Agency, and are declared categorically exempt from an environmental assessment or preparation of an EIR:

Class 1: Existing Facilities. Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

(a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;

(b) Existing facilities of both investor, and publicly owned utilities used to convey or distribute electric power, natural gas, sewage, etc.;

(c) Existing highways and streets (within already established rights of way) sidewalks, gutters, bicycle and pedestrian trails, and similar facilities;

(d) Restoration, or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide or flood;

(e) Additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structure before the addition or alteration, or 2,500 square feet, whichever is less;

(f) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities or mechanical equipment, or topographical features (including navigational devices) where these devices do not have or result in an adverse environmental impact;

(g) New copy on existing on and off-premise signs;

(h) Maintenance of existing landscaping, native growth and water supply reservoirs (excluding the use of economic poisons, as defined in Division 7, Chapter 2, California Agricultural Code);

(i) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources.

(j) Fish stocking by the California Department of Fish and Game.

(k) Division of existing multiple family rental units into condominiums.

(l) Demolition and removal of buildings and related structures except where they are of historical, archaeological or architectural consequence as officially designated by Federal, State or local governmental action.

Class 2: Replacement or Reconstruction. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

(a) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50%.

(b) Replacement of a commercial structure with a new structure of substantially the same size and purpose.

Class 3: New Construction of Small Structures. Class 3 consists of construction and location of single, new facilities or structures and installation of new equipment and facilities, including but not limited to:

(a) Single family residences not in conjunction with the building of two or more such units.

(b) Motels, apartments, and duplexes designed for not more than four dwelling units if not in conjunction with the building of two or more such structures.

(c) Stores, offices, and restaurants if designed for an occupant load of 20 persons or less, if not in conjunction with the building of two or more such structures.

(d) Water main, sewage, electrical, gas and other utility extensions of reasonable length to serve such construction;

(e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools and fences.

Class 4: Minor Alterations to Land. Class 4 consists of minor public or private alterations in the condition of land, water and/or vegetation, including but not limited to:

(a) Grading on land with a slope of less than 10 percent, except where it is to be located in a waterway, in any wet land, in an officially designated (by Federal, State or local governmental action) scenic area, or in officially mapped areas of severe geologic hazard.

(b) New gardening or landscaping but not including tree removal.

(c) Filling of earth into previously excavated land with material compatible with the natural features of the site;

(d) Minor alterations in land, water and vegetation on existing officially designated wildlife management areas of fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production;

(e) Minor temporary uses of land having negligible or no permanent effects on the environment, including carnivals, fireworks stands, sales of Christmas trees, etc.

Class 5: Alterations in Land Use Limitations. Class 5 consists of minor alterations in land use limitations, except zoning, including but not limited to:

(a) Minor lot line adjustments, side yard and set back variances not resulting in the creation of any new parcel nor in any change in land use or density;

(b) Issuance of minor encroachment permits.

Class 6: Information Collection. Class 6 consists of basic data collection, research, experimental management and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for strictly information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded.

Class 7: Regulatory Actions for Protection of Natural Resources. Class 7 consists of actions taken by regulatory agencies, as authorized by state law or local ordinance, to assure the maintenance, restoration, or enhancement of a natural resource, including but not limited to wildlife preservation.

Class 8: Regulatory Actions for the Protection of the Environment. Class 8 consists of actions taken by regulatory agencies, as authorized by state law or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment.

Class 9: Inspections. Class 9 consists of activities limited entirely to inspection, to check for performance of an operation, or quality, health or safety of a project, including related activities such as inspection for possible mislabeling, misrepresentation or adulteration of products.

Class 10: Loans. Class 10 consists of loans made by the Department of Veterans Affairs under the Veterans Farm and Home Purchase Act of 1943.

Class 11: Accessory Structures. Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to:

(a) On-premise signs;

(b) Small parking lots.

Class 12: Surplus Government Property Sales. Class 12 consists of sales of surplus government property except for parcels of land.

SECTION IV. PROJECTS REQUIRING ENVIRONMENTAL ASSESSMENTS

The following is a list of types of projects which require an Environmental Assessment. The Environmental Assessment Committee either makes a Negative Declaration or requires an EIR because the project may have a significant effect. The assessment procedures, timing, fees, etc. are set forth in Section V.

A. New Public and Private Projects

All public projects by public agencies and private projects which are discretionary projects shall require environmental assessments excepting those identified in Section III. Using the environmental assessment check list (Exhibit "A",) if it is found that the project may have a significant effect, an EIR shall be required.

B. Certain Ongoing Projects

An environmental assessment shall be required for:

1. A public project approved prior to November 23, 1970, for which the allocated public funds have not been spent and it is still feasible to modify the project to minimize adverse environmental effects or choose a feasible alternative.

2. A public project approved prior to November 23, 1970, for which a significant modification is proposed.

C. Categorical Exemptions That DO NOT Apply

Categorical exemption classes 3, 4, 5 and 11 as set forth in Section III E, are qualified by consideration of both where the project is to be located and the cumulative impact of successive projects of the same type in the same place over a period of time. Projects in these classes on lands that abut or are within the Tuolumne River or Dry Creek floodplains are in this qualified category and are not exempt from environmental assessment. Other specific environmental resources or hazards identified by the City from time to time may be mapped, officially adopted and made subject to this qualified category.

SECTION V. ENVIRONMENTAL ASSESSMENT PROCEDURES, TIMING, FEES

A. Initial Screening

When a project as defined in Section II is submitted to the City, or when the City intends to carry out a project, an initial screening shall be made by the appropriate department to determine whether or not the project requires an environmental assessment. Those projects requiring environmental assessments shall be reviewed by the Environmental Assessment Committee prior to further processing.

B. Review of the Environmental Assessment Committee

For projects requiring environmental assessments, the Environmental Assessment Committee shall use the Environmental checklist (Exhibit "A") to find whether the project has significant effect on the environment.

1. If the Environmental Assessment Committee finds that the proposed project will not have a significant effect on the environment it shall do the following:

   (a) Complete the Environmental Assessment Committee Findings, (Exhibit "A") which serves as a Negative Declaration.

   (b) File such findings with the Stanislaus County Clerk and the person or public agency who submitted the project within 7 days following completion of the Committee's review.

   (c) If no written public response has been filed with the City Clerk within 15 days from the date of filing such Findings with the Stanislaus County Clerk, the Committee shall file a Notice of Determination, (Exhibit "C") with the Stanislaus County Clerk and the person or public agency who submitted the project. Thirty-one (31) days after the filing of the said Notice of Determination with the Stanislaus County Clerk, the project may proceed in accordance with applicable City regulations.

   (d) If a written public response has been filed with the City Clerk during said 15-day period, the Committee shall, within 7 days, consider the responses, reconsider their findings, and take one of three actions:

      (i) Consider the responses and find that no changes are necessary in the Environmental Assessment Committee Findings and file a Notice of Determination with the Stanislaus County Clerk and the person or public agency who submitted the project. Thirty-one (31) days after the filing of said Notice of Determination with the Stanislaus County Clerk, the project will proceed in accordance with applicable City regulations.

(ii) Consider the responses and find that changes are necessary in the Environmental Assessment Committee Findings, amend said Findings and file the amended Findings, as an amended Negative Declaration, and a Notice of Determination with the Stanislaus County Clerk and the person or public agency who submitted the project. Thirty-one (31) days after the filing of the said Notice of Determination with the Stanislaus County Clerk, the project may proceed in accordance with applicable City regulations.

(iii) Consider the responses and find that there may be a significant impact on the environment, amend said Findings and file the amended Findings and a Notice of Determination with the Stanislaus County Clerk and the person or public agency who submitted the project, in which case, an EIR is required and the project shall proceed in accordance with the EIR process.

2. If the Environmental Assessment Committee finds that the proposed project may have a significant effect on the environment, the Committee shall do the following:

   (a) Within 7 days of the Finding, file a Notice of Determination with the Stanislaus County Clerk and the person or public agency who submitted the project, in which case an EIR is required and the project shall proceed in accordance with the EIR process.

   (b) If the project involves more than one public agency, determine who is the lead agency.

C. Fees

No fees shall be charged for the environmental assessment procedure.

SECTION VI. ENVIRONMENTAL IMPACT REPORTS, TIMING, FEES

A. General

Section V outlines the preliminary steps that must be taken prior to the submission of a Draft EIR.

Section VII specifies the contents required in a Draft EIR and a Final EIR.

B. Processing of Draft EIR

1. Draft EIR Preparation

An initial draft of an EIR shall be prepared by the person or public agency who submitted the project. The City shall have the right to:

(a) Request additional information, data and graphics.

(b) Request a revised initial draft of the EIR.

Ten copies of the initial draft of the EIR shall be furnished for use by the City. The City shall then prepare Draft EIR. Each initial draft of an EIR and Draft EIR shall have attached a list of public agencies having jurisdiction by law with respect to the project and any persons with special expertise with respect to the environmental impact involved.

2. Review of Draft EIR

After Draft EIR has been completed by the City, it shall be reviewed by the Environmental Assessment Committee. If deemed complete, the Environmental Assessment Committee shall, within 7 days, file a Notice of Completion of Draft EIR (Exhibit "B") with the Stanislaus County Clerk and with the Secretary of the California Resources Agency.

3. Distribution of Draft EIR

Distribution of copies of Draft EIR shall be made as follows:

(a) Three copies shall be filed with the City Clerk for the official record and general public review.

(b) One copy shall be sent to the person or public agency who submitted the project.

(c) One copy shall be sent to each person and public agency designated by the Environmental Assessment Committee based on the list attached to Draft EIR.

4. Public Review of Draft EIR

The public shall have 30 days from the date of filing a Notice of Completion of Draft EIR with the Stanislaus County Clerk to submit written comments on Draft EIR to the City Clerk. The City shall evaluate comments received and prepare Final EIR.

C. Processing of Final EIR

1. Distribution of Final EIR

Distribution of copies of Final EIR shall be made as follows:

(a) One copy shall be filed with the City Clerk for the official record and for public inspection.

(b) One copy shall be sent to the person or public agency who submitted the project.

(c) Copies shall be presented to the City Council, Board of Zoning Adjustment or Planning Commission, whichever is the decision-making body for the project.

2. Public Hearing

The decision-making body for the project may determine a public hearing is desirable, prior to the adoption of Final EIR, in order to assure adequate public participation in the evaluation of a project.

3. Adoption

The decision-making body shall adopt Final EIR and consider the contents thereof when it makes a decision on the project.

4. Filing Notice

After making a decision on the project, the City shall file a Notice of Determination (Exhibit "C") with the Stanislaus County Clerk. Such notice shall include:

(a) The decision of whether the project was approved or disapproved.

(b) The determination of whether the project will have a significant effect on the environment.

(c) That Final EIR was prepared pursuant to these guidelines and the California Environmental Quality Act.

D. Fees

Two types of fees are authorized:

1. The City shall charge and collect a fee, from a person or public agency submitting a project requiring an EIR, to reimburse the City for the estimated costs incurred in preparing the EIR. The amount of the fee shall be determined based on the actual amount of work anticipated in the preparation of the EIR. The extent of the material furnished in the initial draft of an EIR by the person or public agency submitting the project shall be taken into account in making said determination.

2. The City shall charge and collect a fee from members of the public for the actual cost of reproducing a copy of an EIR requested by a member of the public.

SECTION VII. CONTENTS OF ENVIRONMENTAL IMPACT REPORTS

The preparation of an Environmental Impact Report consists of a two-step process: a Draft EIR and a Final EIR.

A. Contents of Draft EIR

A Draft EIR shall contain the following information:

1. Description of Project

The description of the project shall contain the following information, but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.

(a) The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.

(b) A statement of the objectives sought by the proposed project.

(c) A general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals.

2. Description of Environmental Setting

An EIR must include a description of the environment in the vicinity of the project, as it exists before commencement of the project, from both a local and regional perspective. Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region. Specific reference to related projects, both public and private, both existent and planned, in the region, should also be included, for purposes of examining the possible cumulative impact of such projects.

3. Environmental Impact

All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development and operation. The following subjects shall be discussed, preferably in separate sections or paragraphs.

(a) The Environmental Impact of the Proposed Action

Describe the direct and indirect impacts of the project on the environment, giving due consideration to both the short-term and long-term effects.

It should include specifics of the area, the resources involved, physical changes, alterations to ecological systems and changes induced in population distribution,

population concentration, the human use of the land (including commercial and residential development) and other aspects of the resource base such as water, scenic quality and public services.

With respect to water quality aspects of the proposed project which have been previously certified by the appropriate state or interstate organization as being in substantial compliance with applicable water quality standards, reference to the certification should be made

(b) Any Adverse Environmental Effects Which Cannot Be Avoided if the Proposal is Implemented

Describe any adverse impacts, including those which can be reduced to an insignificant level but not eliminated. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described. Do not neglect impacts on any aesthetically valuable surroundings, or on human health.

(c) Mitigation Measures Proposed to Minimize the Impact

Describe any mitigation measures written into the project plan to reduce significant environmentally adverse impacts to insignificant levels, and the basis for considering these levels acceptable. Where a particular mitigation measure has been chosen from among several alternatives, it should be discussed and reasons should be given for the choice made.

(d) Alternatives to the Proposed Action

Describe any known alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project, and why they were rejected in favor of the ultimate choice. The specific alternative of "no project" must also always be evaluated, along with the impact. Attention should be paid to alternatives capable of substantially reducing or eliminating any environmentally adverse impacts, even if these alternatives substantially impede the attainment of the project objectives, and are more costly.

(e) The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity

Describe the cumulative and long-term effects of the proposed project which adversely affect the state of the environment. Special attention should be given to impacts which narrow the range of beneficial uses

of the environment or pose long-term risks to health or safety. In addition, the reasons why the proposed project is believed by the sponsor to be justified now, rather than reserving an option for further alternatives, should be explained.

(f) Any Irreversible Environmental Changes Which Would Be Involved in the Proposed Action Should it Be Implemented

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as a highway improvement which provides access to a nonaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

(g) The Growth-Inducing Impact of the Proposed Action

Discuss the ways in which the proposed project could foster economic or population growth, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may further tax existing community service facilities so consideration must be given to this impact. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

4. Organizations and Persons Consulted

The identity of all federal, state or local agencies, other organizations and private individuals consulted in preparing Draft EIR, and the identity of the person, firm or agency preparing Draft EIR, by contract or other authorization, must be given.

B. Content of Final EIR

A Final EIR shall contain the following information:

1. Final EIR shall consist of Draft EIR containing the elements described in paragraph A above, a section containing the comments received through the public review process either verbatim or in summary, and the response of the City to the

significant environmental points raised in the review process.

2. The response of the City to comments received may take the form of a revision of Draft EIR or may be an attachment to Draft EIR. The response shall describe the disposition of significant environmental issues raised (e.g. revisions to the proposed project to mitigate anticipated impacts or objections). In particular the major issues raised when the City's position is at variance with recommendations and objections raised in the comments, must be addressed in detail giving reasons why specific comments and suggestions were not accepted, and factors of overriding importance warranting an override of the suggestions.

3. Comments on Draft EIR received either through the review process or independently shall be kept on file in the office of the City Clerk, City Hall, 801 Eleventh Street, Modesto, California, for a reasonable period of time and made available for public inspection at said office. A notice of the availability of such comments for inspection shall be included in Final EIR.

City of Modesto
ENVIRONMENTAL ASSESSMENT COMMITTEE
FINDINGS

Filed with ... County Clerk

Project Title:

Brief Description of Proposed Project:

15 Days for Public Response Ends:

Date: _____

Brief Description of Project Area:

Findings:

☐ Negative Declaration - The project will not have a significant effect on the environment.

☐ EIR Required - The project may have a significant effect on the environment and an Environmental Impact Report is required.

Public Response to Negative Declaration:

Anyone wishing to respond to the finding of a negative declaration may do so within 15 days of the date of the filing of these Findings with the Stanislaus County Clerk. This response must be in writing and filed with the City Clerk, City of Modesto, P. O.Box 642, Modesto CA 95353, and shall name the project as above and the date of filing these Findings with the Stanislaus County Clerk.

CITY OF MODESTO ENVIRONMENTAL ASSESSMENT COMMITTEE:

_____
Ross Campbell,Director of Public Works, Chairman

_____
William Nichols,Director of Planning, Secretary

_____
Douglas Carmody,Director of Parking & Traffic

Dated: _____

Exhibit "A"

City of Modesto

CHECKLIST PORTION OF ENVIRONMENTAL ASSESSMENT COMMITTEE FINDINGS

Project Title:

I. Assessment of Environmental Impact	Yes	No
A. Relationship of Project to Broad Environmental Concerns		
1. Could the project result in a significant change in the quality of any portion of region's air or water resources?	___	___
2. Could the project result in the generation of significant amounts of noise?	___	___
3. Will the project require a variance from established environmental standards (air, water, noise, etc.)?	___	___
4. Will the project require certification, authorization or issuance of a permit by any local, State, or Federal environmental control agency?	___	___
5. Are any of the natural or man-made features in the project area unique, that is, not found in other parts of the County State, or Nation?	___	___
6. Could the project significantly affect a historical or archaelogical site or its setting?	___	___
7. Could the project adversely affect the use of a recreational area or area of important aesthetic value?	___	___
B. Relationship of Project to Neighborhood and Urban Area Land Use Planning		
8. Is the project outside the adopted Urban Area General Plan?	___	___
9. Could the project cause or result in growth beyond that anticipated by the Urban Area General Plan or neighborhood plan?	___	___
10. Could the project cause a change in land use not anticipated by the Urban Area General Plan or a neighborhood zoning and development plan?	___	___
11. Could the project conflict with the Urban Area General Plan or a neighborhood zoning and development plan?	___	___
12. Could the project adversely affect the functioning of an established neighborhood as delineated in the General Plan?	___	___
C. Relationship of Project to Site and Immediate Environs		
13. Could the project result in the displacement of community residents and create a significant relocation housing problem?	___	___

Exhibit "A"

14. Will the project require removal of substantial amounts of natural growth native to the area? (Does not include orchards, vineyards, planted crops, etc.) ____ ____

15. Could the project significantly affect fish, wildlife or plant life? ____ ____

16. Could the project cause substantial flooding, erosion or siltation? ____ ____

17. Could the project change existing features or involve construction of facilities in a flood plain? ____ ____

18. Will the project involve the application, use, or disposal of potentially hazardous materials? ____ ____

19. Could the project have a substantial and demonstrable negative aesthetic effect? ____ ____

20. Will the project require issuance of a special use permit by the City? (excepting H-1 and conditional use permits) ____ ____

II. Statement of No Significant Effect on the Environment

Explanation of "Yes" answer(s) if it is determined there is no significant effect on the environment.

III. Other Comments (if any)

Exhibit "A"

State of California
The Resources Agency
SECRETARY FOR RESOURCES
1416 Ninth Street, Room 1311
Sacramento, California 95814

Filed with ...
County Clerk

NOTICE OF COMPLETION
DRAFT ENVIRONMENTAL IMPACT REPORT

City	Department		
CITY OF MODESTO			
Project Title			
Address	City	County	Zip
P. O. Box 642	Modesto	Stanislaus	95353
Contact Person	Area Code	Phone	Ext
	209	524-4011	

PROJECT DESCRIPTION

Project Location City	Project Location County
Modesto	Stanislaus

Time Period Provided for Review

Address Where Copy of Draft EIR is Available

City Clerk, City of Modesto, P. O. Box 642, Modesto CA 95353

Exhibit "B"

City of Modesto
NOTICE OF DETERMINATION

Filed with Stanislaus County Clerk

Project Title:

Brief Description of Proposed Project:

Effective Date
31 days after filing

Date: _____

Brief Description of Project Area:

A. The project was:

Approved ☐

Disapproved ☐

B. The project will:

Have significant effect on the environment ☐

Not have significant effect on the environment ☐

C. A Final EIR was ☐ was not ☐ prepared pursuant to the provisions of the City of Modesto Environmental Impact Guidelines and the California Environmental Quality Act.

Exhibit "C"

ENVIRONMENTAL IMPACT REPORT PROCESS
FLOW CHART

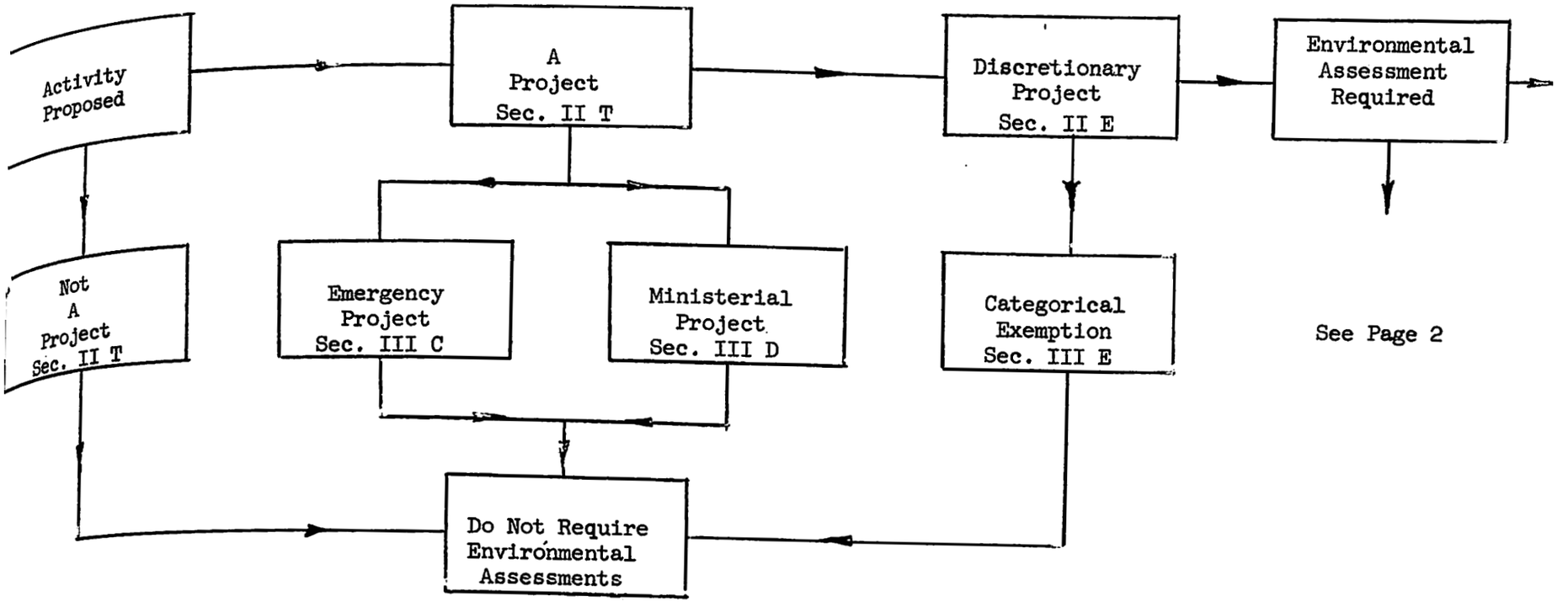


Exhibit "D"

ENVIRONMENTAL IMPACT REPORT PROCESS
FLOW CHART

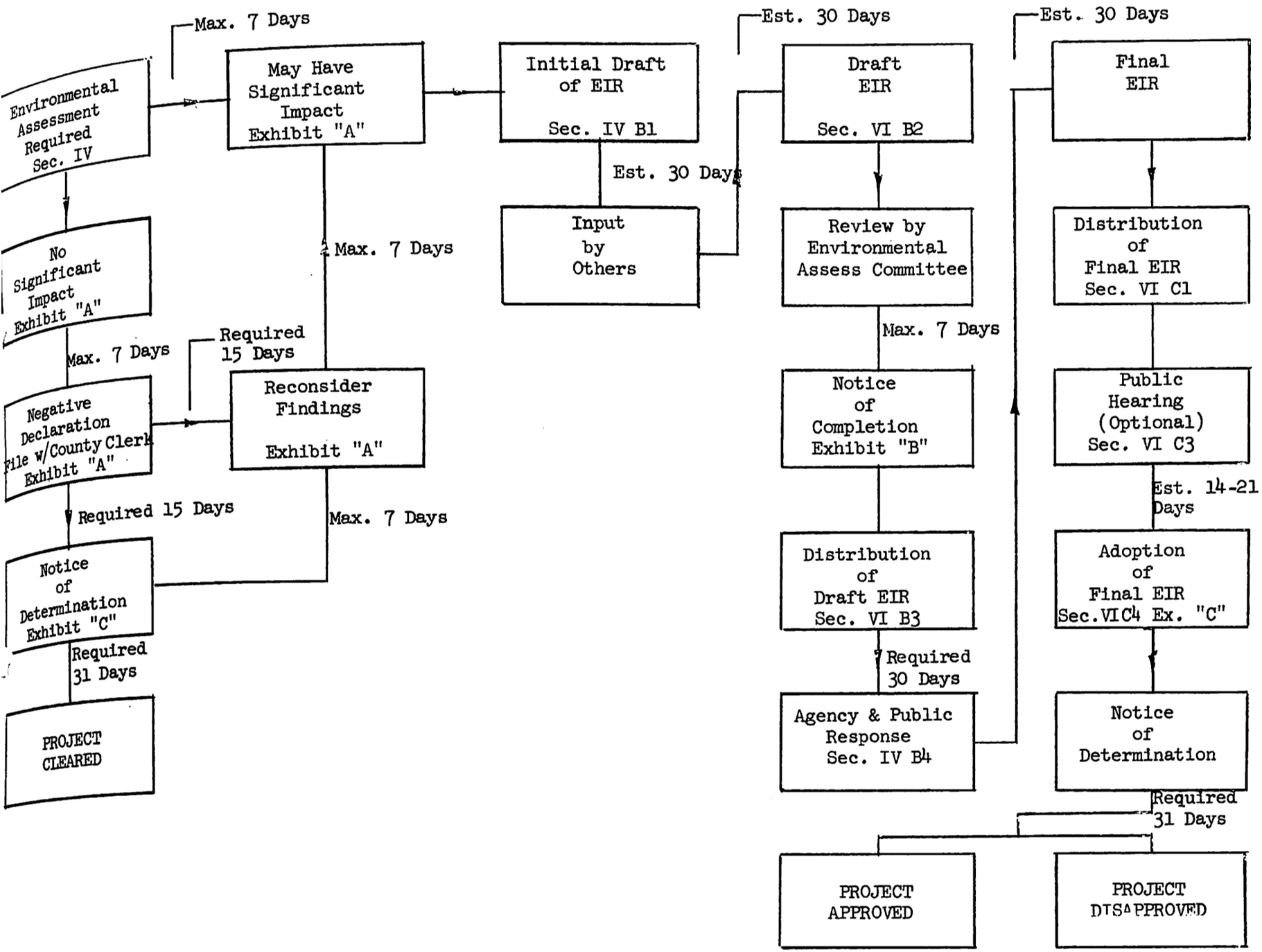


Exhibit "D"

MODESTO CITY COUNCIL
RESOLUTION NO. 73-277

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. CHARLES WRIGHT FOR RENEWAL OF FOOD CONCESSION AT BEARD BROOK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mr. Charles Wright for renewal of food concession at Beard Brook 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 April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-278

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

WHEREAS, a portion of the MC HENRY-DRY CREEK Fire Protection District in Stanislaus County was annexed to the City of Modesto as Orangeburg-Lillian Addition by Resolution No. 73-204 adopted on March 5, 19 73, and said addition officially became a part of the City of Modesto on March 22, 19 73, 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, THEREFORE, 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 MC HENRY-DRY CREEK Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 73.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 2nd day of April, 19 73, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, ~~Newton~~ Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: ~~None~~ Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By RC Mangus
Public Works Department

3-28-73

January 11, 1973

Corrected February 1, 1973

Corrected February 2, 1973

ORANGEBURG-LILLIAN ADDITION

All that real property in the State of California, County of Stanislaus, in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Merician, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972 as Instrument 23377, Stanislaus County Records, said point being the intersection of the centerline of a 40 foot public road known as East Orangeburg Avenue, and the North-South quarter line of Section 24; thence along the existing City Limits and the boundary of said ADDITION (292), South 89°21'00" West, 1310.14 feet, to a point on the Western line of Lot 11 of the IDAHO COLONY, as per map filed April 27, 1909, in Volume 4 of Maps, Page 21, Stanislaus County Records; thence along said Western line, South 00°56'32" East, 1322.80 feet, to the intersection of the Northern line of the LINCOLN ESTATES NO. 4 SUBDIVISION, as per map filed July 28, 1965, in Volume 21 of Maps, Page 14, Stanislaus County Records, and the centerline of a 50.00 foot public road known as Dixon Way; thence along the boundary of LINCOLN ESTATES NO. 4 SUBDIVISION the following courses and distances, North 89°20'55" East, 645.28 feet, South 00°51'35" East, 736.67 feet, to the Northeast corner of the SCENIC HEIGHTS SUBDIVISION, as per map filed October 31, 1962, in Volume 20 of Maps, Page 30, Stanislaus County Records; thence along the Eastern line of the SCENIC HEIGHTS SUBDIVISION and its Southerly extension, South 00°51'35" East, 600.66 feet, to the centerline of a public road known as Scenic Drive; thence along the centerline of a 50 foot public road known as Scenic Drive, North 87°58'38" East, 327.34 feet, thence leaving the centerline of Scenic Drive, North 00°54'05" West, 1329.50 feet, to the quarter section line of Section 24; thence along said quarter section line, North 89°20'55" East, 337.72 feet, to the interior quarter corner of Section 24; thence along a North-South quarter section line, North 00°54'22" West, 1322.76 feet, to the point of beginning, containing 49.775 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-279

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (ORANGEBURG-LILLIAN ADDITION)

WHEREAS, there has been annexed to the City of Modesto on March 5, 1973, certain territory known as ORANGEBURG-LILLIAN Addition, and

WHEREAS, the inclusion of the area contained in ORANGEBURG-LILLIAN Addition 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 ORANGEBURG-LILLIAN Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 105.

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

SECTION 5. Monday, May 21, 1973, at the hour of 4:05 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 judgment 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. 105 .

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) 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) On the Southern side of East Orangeburg Avenue at the Northeastern corner of the Addition.

(2) On the Northern end of Dixon Way at a Southwestern corner of the Addition.

(3) On the Northern side of Scenic Drive 350 feet East of Springfield Way.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 105, 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 2nd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R C Maxwell
Public Works Department

3-26-73

January 11, 1973

Corrected February 1, 1973

Corrected February 2, 1973

ORANGEBURG-LILLIAN ADDITION

All that real property in the State of California, County of Stanislaus, in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Merician, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972 as Instrument 23377, Stanislaus County Records, said point being the intersection of the centerline of a 40 foot public road known as East Orangeburg Avenue, and the North-South quarter line of Section 24; thence along the existing City Limits and the boundary of said ADDITION (292), South 89°21'00" West, 1310.14 feet, to a point on the Western line of Lot 11 of the IDAHO COLONY, as per map filed April 27, 1909, in Volume 4 of Maps, Page 21, Stanislaus County Records; thence along said Western line, South 00°56'32" East, 1322.80 feet, to the intersection of the Northern line of the LINCOLN ESTATES NO. 4 SUBDIVISION, as per map filed July 28, 1965, in Volume 21 of Maps, Page 14, Stanislaus County Records, and the centerline of a 50.00 foot public road known as Dixon Way; thence along the boundary of LINCOLN ESTATES NO. 4 SUBDIVISION the following courses and distances, North 89°20'55" East, 645.28 feet, South 00°51'35" East, 736.67 feet, to the Northeast corner of the SCENIC HEIGHTS SUBDIVISION, as per map filed October 31, 1962, in Volume 20 of Maps, Page 30, Stanislaus County Records; thence along the Eastern line of the SCENIC HEIGHTS SUBDIVISION and its Southerly extension, South 00°51'35" East, 600.66 feet, to the centerline of a public road known as Scenic Drive; thence along the centerline of a 50' footpublic road known as Scenic Drive, North 87°58'38" East, 327.34 feet, thence leaving the centerline of Scenic Drive, North 00°54'05" West, 1329.50 feet, to the quarter section line of Section 24; thence along said quarter section line, North 89°20'55" East, 337.72 feet, to the interior quarter corner of Section 24; thence along a North-South quarter section line, North 00°54'22" West, 1322.76 feet, to the point of beginning, containing 49.775 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 April 2, 1973, 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 Councilman Smith, seconded by Councilman Simon, and adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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: April 3, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-280

PURCHASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. ZACK MOORE FOR PARK SITE ACQUISITION - REVARD MANOR PARK (Standiford Park No. 2)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the purchase/agreement between the City of Modesto and Mr. and Mrs. Zack Moore for park site acquisition - Revard Manor Park ($2,925 + costs of the necessary lot split including improvements to the Norwegian Ave. frontage) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement and the acceptance of Grant Deed 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 April, 19 73, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-281

A RESOLUTION APPROVING SALARY INCREASES FOR HEAD REST EMPLOYEES

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

1. The following salary increases for Head Rest employees are approved:

(a) Six full-time employees, $10.00 monthly

(b) One half-time employee, $5.00 monthly

(c) Two quarter-time employees, $2.50 monthly

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1973, By Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-282

PURCHASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. HASKELL MEDDERS FOR LAND ACQUISITION (Tuolumne River Regional Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the purchase/agreement between the City of Modesto and Mr. and Mrs. Haskell Medders for land acquisition (property is west of Conejo and south of Hillside Dr. - purchase price is $3,000) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement and acceptance of Grant Deed 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 April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-283

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $2,500 TO PROVIDE FUNDS FOR THE COOLING OF THE INDUSTRIAL PUMP BUILDING CONTROLS AT THE WATER QUALITY CONTROL PLANT

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

GENERAL FUND (101)

FROM:	Chem., Drug & Lab Supplies (312-53-101)	$2,500.00
TO:	Air Conditioning - Industrial Pump Controls (5303-53-101)	$2,500.00

(It is necessary to cool the industrial pump controls for reliable operation during the summer months. See memo to the City Manager dated March 28, 1973, for further details.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-284

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,500 TO PROVIDE FUNDS NEEDED TO REIMBURSE THE CONTRACTOR FOR REPAIRS TO THE COMMUNITY SERVICE CENTER

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$1,500
TO:	M&R, Buildings & Grounds (224-34-101)	$1,500

(To provide an amount to pay for fire damage repairs and vandalism. An Additional $2,000 was provided for this purpose on August 31, 1972)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-285

A RESOLUTION ENDORSING COMPLETION OF FOURTH FLOOR OF MEMORIAL HOSPITAL MODESTO

WHEREAS, there is a demonstrable community need for additional hospital beds at Memorial Hospital Modesto; and

WHEREAS, the Memorial Hospital Association has initiated the completion of its 4th floor, 46-bed addition; and

WHEREAS, Memorial Hospital Association has heretofore invested in excess of one and one-half million dollars of community funds in core facilities required to support the proposed 46-bed addition.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Modesto, California, hereby endorses the proposed completion of the 4th floor of Memorial Hospital Modesto, and the resulting addition of 46 beds therein, and hereby urges that the State Health Planning Council, the State Department of Public Health, the North San Joaquin Comprehensive Health Planning Association and all other concerned voluntary, area-wide health planning agencies and other concerned governmental agencies approve the completion of the Memorial Hospital Modesto 4th floor -- 46-bed addition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-286

A RESOLUTION SETTING TIME AND PLACE FOR HEARING THE REQUEST OF LAFAYETTE ELECTRONICS TO APPEAL THE BOARD OF ZONING ADJUSTMENT'S DECISION DENYING RETENTION OF PROJECTING SIGN AT NORTHEAST CORNER OF McHENRY AND CORSON

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 7, 1973 , at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Lafayette Electronics to appeal the Board of Zoning Adjustment's decision denying retention of projecting sign at northeast corner of McHenry and Corson.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April , 19 73 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-287

A RESOLUTION DENYING THE APPLICATION OF GOLDRICH, KEST, HIRSCH, AND STERN FOR AN AMENDMENT TO SECTION 13-3-8 OF THE ZONING MAP.

WHEREAS, a verified application to amend Section 13-3-8 of the Zoning Map was filed by Goldrich, Kest, Hirsch, and Stern, to reclassify from One-Family Residential Zone, R-1, to Planned Development Zone, P-D, the following described property:

All of that certain piece or parcel of land situated in and being a portion of the Northerly 396 feet of the Northeast one quarter (NE 1/4) of the Southeast one quarter (SE 1/4) of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, more particularly described as follows to wit:

Commencing at the Northeast corner of the Southeast one quarter (SE 1/4) of Section 13, Township 3 South, Range 8 East, M. D.B. & M; thence South 89° 36' 30" West along the North line of said Southeast one quarter (SE 1/4) a distance of 45.00 feet to a point on the Westerly right-of-way line of a City street, known as Prescott Road and the true point of beginning of this description; thence continuing South 89° 36' 30" West along said North line of the Southeast one quarter (SE 1/4) a distance of 696.74 feet; thence South 0° 11' 23" East a distance of 396.04 feet; thence North 89° 36' 30" East a distance of 376.23 feet; thence North 0° 23' 30" West a distance of 192.00 feet; thence North 89° 36' 30" East a distance of 320.51 feet to a point on the Westerly right-of-way line of Prescott Road; thence North along said westerly right-of-way line, parallel to and 45.00 feet Westerly of the East line of said Section 13, a distance of 204.04 feet to the point of beginning of this description.

Including also the westerly 45 feet of Prescott Road immediately adjacent to the above described property.

Containing 4.919 acres net.

WHEREAS, a public hearing was held by the Planning Commission on said application at its regular meeting of February 20, 1973, at its regular meeting place located in the Council Chambers in the City Hall, 801-11th Street, Modesto, California and evidence both oral and documentary was taken and introduced, and

WHEREAS, thereafter the Commission adopted Resolution No. 73-27 recommending to the Council an amendment to Section 13-3-8 of the Zoning Map, to rezone to Planned-Development Zoning, P-D, the above described property, as requested by the applicant, 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 o'clock P.M. on April 9, 1973, and evidence, both oral and documentary was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the requested rezoning for Planned Development Zoning, P-D, is not required by public necessity, convenience and general welfare for the following reasons:

1. The dwelling unit density for the proposed Planned Development Zone would be in excess of that recommended for the site by the Planning Commission's adopted Zoning and Development Policy for the Chrysler-99 Neighborhood.

2. The depth of the parcel proposed for P-D zoning from Prescott Road, the major street, would be in excess of that recommended for apartment complexes by the Planning Commission's adopted Zoning and Development Policy for the Chrysler-99 Neighborhood.

3. The location and height of the proposed multiple-family structures would violate the privacy of owners of surrounding single-family residential dwelling units.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the application of Goldrich, Kest, Hirsch, and Stern to amend Section 13-3-8 of the Zoning Map to reclassify from One-Family Residential, R-1, to Planned Development, P-D, the hereinabove described property be and it is hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1973 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the Resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon

NOES: Councilmen: Elliott, Smith, Mayor Davies

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By: John R. Foley
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-288

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF JOHN C. SUTTON AS A MEMBER OF THE PLANNING COMMISSION

WHEREAS, John C. Sutton was appointed a member of the Planning Commission on December 4, 1967 and reappointed in 1969 and 1973; and

WHEREAS, John Sutton served as Chairman of the Planning Commission during the year of 1972; and

WHEREAS, John Sutton has tendered his resignation from the Planning Commission effective upon the appointment of his successor; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of John Sutton from the Planning Commission is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere apprecation to John Sutton 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 9th day of April, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-289

A RESOLUTION APPROVING EASEMENT DEED FROM CITY OF MODESTO TO COUNTY OF STANISLAUS FOR PUBLIC STORM SEWER

BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an easement deed to county of Stanislaus for public storm sewer across Modesto City-County Airport.

BE IT FURTHER RESOLVED that execution of said deed by the Mayor, attested by the City Clerk, is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1973 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-290

A RESOLUTION APPROVING THE FINAL MAP OF THE SONOMA GARDENS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, A.I.S. Development Corporation, a California corporation,

is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 19.657 acres, known as the Sonoma Gardens Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 3rd day of October, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Sonoma Gardens 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 of the Sonoma Gardens Subdivision 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 in the amount of Four Thousand, Four Hundred Sixty-Seven and 85/100ths ($4,467.85) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-291

A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO THE MODESTO JUNIOR COLLEGE (EAST CAMPUS).

WHEREAS, Section 11-1.11 of the Modesto Municipal Code provides that "the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water service to government agencies including school districts . . . on a basis that is fair and equitable to all the parties concerned," and

WHEREAS, under this section it has been the practice to establish flat rates for water service to schools, and

WHEREAS, there have been landscaping and enrollment changes at the Modesto Junior College (East Campus) making it desirable to update the charges for water service, and

WHEREAS, a flat-rate water service charge to the school will be fair and equitable to both the City and the Yosemite Junior College District in respect to providing water service to the Modesto Junior College (East Campus),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the flat-rate water service charge to the Yosemite Junior College District for the Modesto Junior College (East Campus) be established according to the following formula:

A. Domestic Use

36 cu. ft. /pupil/month

B. Irrigation

140,000 cu. ft. /acre/year (based on an eight month irrigation season)

BE IT FURTHER resolved by the Council that the flat-rate water service charge is hereby established in accordance with the formula set forth above based on the total number of pupils enrolled in Modesto Junior College (East Campus) and the area irrigated from the City water system.

(1)	1 to 500 students	$2,078.72 per year
(2)	501 to 800 students	$2,183.47 per year
(3)	801 to 1200 students	$2,287.31 per year
(4)	1201 to 1600 students	$2,422.03 per year
(5)	1601 to 2000 students	$2,534.35 per year
(6)	2001 to 2400 students	$2,646.67 per year
(7)	2401 to 3000 students	$2,787.07 per year

(8)	3001 to 3600 students	$2,927.47 per year
(9)	3601 to 4200 students	$3,067.87 per year
(10)	4201 to 4800 students	$3,208.27 per year
(11)	4801 to 5400 students	$3,348.67 per year
(12)	5401 to 6000 students	$3,489.07 per year
(13)	6001 to 6600 students	$3,629.47 per year
(14)	6601 to 7200 students	$3,769.87 per year
(15)	7201 to 7800 students	$3,910.27 per year
(16)	7801 to 8400 students	$4,050.67 per year
(17)	8401 to 9000 students	$4,191.07 per year
(18)	9001 to 9600 students	$4,331.47 per year
(19)	9601 to 10,200 students	$4,471.87 per year
(20)	10,201 +	$4,542.07 per year

BE IT FURTHER RESOLVED that the flat-rate water service charges established hereby shall be due and payable to City on November 1st of each year, commencing in 1972.

BE IT FURTHER RESOLVED that the determination of the number of pupils enrolled in said school shall be as of the 31st day of October of each year.

BE IT FURTHER RESOLVED that the Yosemite Junior College District shall promptly notify City of any changes in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes. Failure to promptly notify City may be cause for immediate requirement of metering of the premises.

BE IT FURTHER RESOLVED that the City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolution No. 73-194 adopted by the City Council on March 5, 1973, is hereby rescinded.

BE IT FURTHER RESOLVED that this resolution shall apply retroactively to November 1, 1972.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly

seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-292

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ANDERSON'S BUSINESS MACHINES FOR SIGN RELOCATION ON SCENIC DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Anderson's Business Machines for sign relocation on Scenic Drive (Payment by City of $110.65 to cover cost of relocation) 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 April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-293

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. GEORGE POZAS FOR SIGN RELOCATION ON SCENIC DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mr. George Pozas for sign relocation on Scenic Drive (Payment by City of $130.00 to cover cost of relocation) 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 April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-294

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MRS. REBECCA C. HECKENDORF FOR REMOVAL OF BUILDING MARQUEE ON PARADISE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mrs. Rebecca C. Heckendorf for removal of building marquee on Paradise Road (Payment by City of $500.00 to cover cost of work) 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 April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-295

A RESOLUTION AUTHORIZING RIGHT OF WAY CERTIFICATE FOR SCENIC DRIVE FROM DOWNEY AVENUE TO COUNTY HOSPITAL, PROJECT FAU-M-6016 (001)

WHEREAS, it is necessary for the City of Modesto to make a certification to the State of California in connection with the right of way for Scenic Drive from Downey Avenue to County Hospital, Project FAU-M-6016 (001), and

WHEREAS, it is necessary for the City of Modesto to agree to hold the State of California harmless from any liability which may result in the event the right of way is not cleared as certified,

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 right of way acquisition for Scenic Drive from Downey Avenue to County Hospital, Project FAU-M-6016 (001). Said Right of Way Certificate shall also include the following paragraph:

> "The City of Modesto agrees to hold the State of California harmless from any liability which may result in the event the right of way is not clear as certified. If the State is named in a damage suit, as a result of the right of way not being clear as certified, the City of Modesto agrees that, at the request of the State, it will assume full responsibility for the conduct of the defense or provide such assistance as the State may require and will pay any judgments issued against the State and all costs in connection with the defense."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-296

A RESOLUTION AUTHORIZING RIGHT OF WAY CERTIFICATE FOR PARADISE AVENUE FROM FRANKLIN STREET TO FIRST STREET, PROJECT T-3048(8).

WHEREAS, it is necessary for the City of Modesto to make a certification to the State of California in connection with the right of way for Paradise Avenue from Franklin Street to First Street, Project T-3048(8), and

WHEREAS, it is necessary for the City of Modesto to agree to hold the State of California harmless from any liability which may result in the event the right of way is not cleared as certified,

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 right of way acquisition for Paradise Avenue from Franklin Street to First Street, Project T-3048(8). Said Right of Way Certificate shall also include the following paragraph:

> "The City of Modesto agrees to hold the State of California harmless from any liability which may result in the event the right of way is not clear as certified. If the State is named in a damage suit, as a result of the right of way not being clear as certified, the City of Modesto agrees that, at the request of the State, it will assume full responsibility for the conduct of the defense or provide such assistance as the State may require and will pay any judgments issued against the State and all costs in connection with the defense."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-297

A RESOLUTION APPROVING A PORTION OF DIXON WAY AS A 25-FOOT PART-WIDTH STREET WITHIN LINCOLN MANOR NO. 1 SUBDIVISION.

WHEREAS, the tentative map of Lincoln Manor No. 1 Subdivision was approved by the Modesto City Planning Commission on December 18, 1972, in accordance with the provisions of Section 4-4.404 of the Modesto Municipal Code, and

WHEREAS, Dixon Way in this proposed subdivision is less than a 40-foot part-width street, and

WHEREAS, Section 4-4.302(a)(8) of the Modesto Municipal Code provides that part-width streets of less than 40 feet which meet certain conditions may be allowed upon recommendation of the Planning Commission and approval by the City Council, and

WHEREAS, the conditions set forth in Section 4-4.302(a)(8) of the Municipal Code are met by this portion of Dixon Way, and

WHEREAS, the Planning Commission by Resolution No. 73-46 adopted on April 3, 1973, has recommended that Dixon Way in this subdivision be approved as a 25-foot part-width street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Dixon Way be approved as a 25-foot part-width street in Lincoln Manor No. 1 Subdivision under the provisions of Section 4-4.302(a)(8) 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 April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

(SEAL)

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-298

RE
A RESOLUTION/APPOINTING MEMBER OF THE DOWNTOWN IMPROVEMENT DISTRICT FOR A TERM ENDING MARCH 28, 1977 (Dr. Walker Halliday)

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 Downtown Improvement District Advisory Board for the respective term as indicated: (Term ending March 28, 1977)

Dr. Walker Halliday
506 Northgate Ave.
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re/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 9th day of April, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-299

A RESOLUTION APPOINTING MEMBER OF THE DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD FOR A TERM ENDING MARCH 28, 1977 (Theodore Cook)

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: (Term ending March 28, 1977)

Theodore Cook
508 Wentworth Lane
Modesto, California 95350

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 9th day of April, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-300

A RESOLUTION EXPRESSING THANKS AND APPRECIATION TO AMERICAN PARTICIPANTS AND PRISONERS OF WAR IN THE CONFLICT IN VIETNAM AND DEEPEST SYMPATHY TO THE LOVED ONES OF THOSE WHO MADE THE SUPREME SACRIFICE.

WHEREAS, American participation in the conflict in Vietnam has ended and American participants have returned to the United States and been reunited with their families, and

WHEREAS, American Prisoners of War of the conflict in Vietnam have been released and returned to the United States and been reunited with their families, and

WHEREAS, said Prisoners of War valiantly and faithfully served their country in battle and as prisoners, and

WHEREAS, this City Council is thankful for the safe return of American participants and Prisoners of War and wishes to express its appreciation for the sacrifices they and their families have made, and

WHEREAS, this City Council is sorrowfully remindful of the fact many Americans made the supreme sacrifice in the conflict in Vietnam,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby expresses its thanks and appreciation to all American participants in the conflict in Vietnam for their loyalty and faithful service to their country,

BE, IT FURTHER RESOLVED that the City of Modesto extends to all Prisoners of War who have returned from Vietnam and their families its thanks and appreciation for the many sacrifices made by them and their families for all the citizens of Modesto and the United States,

BE IT FURTHER RESOLVED that the Council of the City of Modesto extends its deepest sympathy to the loved ones of those who made the supreme sacrifice in the conflict in Vietnam and asks that all citizens of Modesto and the United States join with it in the sincere wish that they have not died in vain.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

PROJECT NO. 73/02-07

MODESTO CITY COUNCIL
RESOLUTION NO. 73-301

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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, and

WHEREAS, the Council, did, on March 26, 1973, adopt its Resolution No. 73-260, 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, the Council did by said resolution, set the 16th day of April, 1973, at 4:05 o'clock 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, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 73-260, and

WHEREAS, at the time set for hearing the protests and objections, if any, 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 incorporporated 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 Resolution No. 73-260 and 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 16th day of April, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

(a) Sidewalk at 1732 Miller Avenue, a portion of Block 2125-A. (Southern Calvary Baptist Church)

(b) Sidewalk along Miller Avenue at 1503 Miller Avenue, the South 55 feet of Lot 7 of Block 2097. (Richard H. Beach)

(c) Sidewalk along Miller Avenue at 1315 La Loma, Block 2086-A. (La Loma Grace Brethren)

(d) Sidewalk at 2024 Miller Avenue, Lot 7 of Block 2224. (Glenn A. Cain)
(Drop from agenda - doing ownwork)

(e) Sidewalk along Miller Avenue at 201 Severin Avenue, Lot 6 of Block 2127. (John P. Collins)

(f) Sidewalk along Miller Avenue at 202 Camellia Way, Lot 7 of Block 2127. (Merrill B. Farrand)

(g) Sidewalk at 1827 Miller Avenue, Lot 3 of Block 2184. (Joe Febela)

(h) Sidewalk along Miller Avenue at 1802 Miller Avenue, the North 59 feet of Lot 17 of Block 2155. (Harold L. Frey)

(i) Sidewalk along Miller Avenue at 201 Ferguson Avenue, Lot 6 of Block 2132-A. (John A. Greer)

(j) Sidewalk along Miller Avenue at 1605 Miller Avenue, Lot 7 of Block 2132. (Clarence A. Hedger)

(k) Sidewalk at 1831 Miller Avenue, Lot 2 of Block 2184. (Kenneth Hilliker)

(l) Sidewalk at 2033 Miller Avenue, the East 62 feet of Lot 20 of Block 2225. (Kenneth Hilliker)

(m) Sidewalk along Miller Avenue at 1865 Maria Ct., Lot 1 of Block 2155. (Theo Hoggatt)

(n) Sidewalk at 1823 Miller Avenue, Lot 4 of Block 2184. (Evanna Holden)

(o) Sidewalk along Miller Avenue at 2102 Miller Avenue, Lot 9 of Block 2263. (James E. Howard)
(Drop from agenda - doing own work)

(p) Sidewalk along Miller Avenue at 1702 Miller Avenue, Lot 1 of Block 2125-A. (Michael D. Deffley, formerly owned by Marvin A. Kaminska)

(q) Sidewalk along Miller Avenue at 204 N. Conejo Avenue, a portion of Block 2184. (Euell R. Lamb)

(r) Sidewalk along Miller Avenue at 201 Camellia Way, Lot 6 of Block 2097. (Fred O. Lockhart)

(s) Sidewalk along Miller Avenue at 201 Rosina Avenue, Lot 6 of Block 2132. (Antonio C. Lopez)

(t) Sidewalk at 2029 Miller Avenue, Lot 19 and the West 1 foot of Lot 20 of Block 2225. (Robert R. Mota)

Requirement for construction of sidewalks, (continued)

(u) Sidewalk along Miller Avenue at 201 N. Conejo Avenue, Lot 6 of Block 2157. (Albert E. Pester, III)

(v) Sidewalk at 1819 Miller Avenue, Lot 5 of Block 2184. (Raymond B. Pike)

(w) Sidewalk along Miller Avenue at 160 Camellia Way, Lot 1 of Block 2126. (Jesse Reinhart)

(x) Sidewalk along Miller Avenue at 1750 Miller Avenue, a portion of Block 2125-A. (Nadine D. Singer)

(y) Sidewalk at 2025 Miller Avenue, Lot 18 of Block 2225. (Alvin E. Skeen)
(Drop from agenda - doing own work)

(z) Sidewalk at 2041 Miller Avenue, Lot 22 of Block 2225. (Marion B. Smith)

(aa) Sidewalk along Miller Avenue at 1705 Miller Avenue, Lot 7 of Block 2132-A. (Rose R. Smith)

(bb) Sidewalk along Miller Avenue at 1835 Miller Avenue, Lot 1 of Block 2184. (John B. Sperin)

(cc) Sidewalk along Miller Avenue at 1826 Miller Avenue, Lot 8 of Block 2155. (Donald E. Spiva)

(dd) Sidewalk along Miller Avenue at 203 Rowland Avenue, Lots 15 and 16 of Block 2061. (Richard L. Suzuki)

(ee) Sidewalk along Miller Avenue at 202 Ferguson Avenue, Lot 7 of Block 2157. (Bill L. Tillman)

(ff) Sidewalk along Miller Avenue at 1721 Yosemite Avenue, a portion of Block 2125-A. (Harry B. Wilkinson)

(gg) Sidewalk along Miller Avenue at 147 El Vista Avenue, Lot 1 of Block 2263. (Herman C. Winters)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-302

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. (Along La Loma at 319 Las Palmas Ave., a portion of Block 2022 - Roger D. Jones - $323.80)

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 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, April 16, 1973, at 4:10 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 $323.80.

SECTION 2. That the cost of the aforesaid work, being the amount of $323.80, be assessed in 7 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

That portion lying North of La Loma of Lot 11 and the South 47 feet of Lot 10 of Block 1 of Las Palmas Tract as per map filed February 20, 1930 in Volume 11 of Maps, Page 16, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1230-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 16th day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-303

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. (Along W. Briggsmore Ave. at 1801 Aloha Way, Lot 8 of Block 6813 - Herman Mayberry - $204.40)

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 25, 19 72, adopt its Resolution No. 72-1027, 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, April 16, 19 73, at 4:10 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 $204.40.

SECTION 2. That the cost of the aforesaid work, being the amount of $204.40, be assessed in 4 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 of Block 6813 of Briggsmore Tract as per map filed September 15, 1952 in Volume 17 of Maps, Page 43, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 59-1515-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 16th day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-304

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. (321 W. Briggsmore Ave., a portion of Block 6808 - Ludwig Erickson - $135.00)

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 25, 1972, adopt its Resolution No. 72-1027, 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, April 16, 1973, at 4:10 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 $135.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $135.00, be assessed in 3 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 145 feet, more or less, of the South 235 feet, more or less, of the East 65 feet of the West 410.30 feet of Lot 5 of Fresno Tract as per map filed March 14, 1903 in Volume 1 of Maps, Page 76, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 59-1514-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 16th day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-305

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(112).

WHEREAS, a verified application for an amendment to Section 13-3-8 of the Zoning Map was filed by Allen Grant, Inc. on January 15, 1973, to reclassify from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D, for a fourplex development the following described property:

R-1 to P-D(112)

The west 528 feet of the most northerly 475 feet of the following described parcel. Parcel A of Parcel Map filed June 2, 1966 in Volume 1 of Parcel Maps, at page 153 and being a portion of the Northeast Quarter of Section 13, Township 3 South, Range 8 East, Mt. Diablo Base and Meridian.

Including also the westerly 20 feet of Conant Avenue and the southerly 20 feet of Rumble Road immediately adjacent to the said west 528 feet of the most northerly 475 feet of said Parcel A.

WHEREAS, after public hearing held on February 20, 1973, it was found and determined by the Planning Commission that rezoning of the property as requested is not required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 73-29 which was adopted on February 20, 1973, and

WHEREAS, by Resolution No. 73-29 the Planning Commission denied the application of Allen Grant, Inc. for an amendment to Section 13-3-8 of the Zoning Map to reclassify the property described above from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D, to allow a fourplex development on property located south of Rumble Road and east of Conant Avenue, and

WHEREAS, an appeal to the Planning Commission's decision denying the above requested rezoning was filed with the City Council on March 5, 1973, and

WHEREAS, the Council of the City of Modesto held a public hearing in the Council Chambers on April 9, 1973, at 7:35 p.m., for the purpose of considering the appeal, and

WHEREAS, after the public hearing held on April 9, 1973, the Council found and determined that the application of Allen Grant for

a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone meets the locational and dwelling unit density standards set forth for the intersection of two (2) through collector streets by the Planning Commission's Zoning and Development Policy for the Chrysler-99 Neighborhood.

2. Rumble Road and Conant Avenue, two (2) sixty (60)-foot wide collector streets which border the project on the north and west can handle the additional traffic generated by this mid-density dwelling unit proposal.

WHEREAS, the Council has introduced Ordinance No. 1268 -C.S. on the 16th day of April, 1973, reclassifying the above-described property from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D(112),

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(112), is hereby approved in accordance with the plan titled "Proposed P-D Development" and "Typical Plot Plan" stamped approved by the City Council and dated April 16, 1973, as amended in red on their faces and on file in the office of the Planning Director, subject to the following conditions:

1. That all development shall be in accordance with the plans referred to above.

2. That prior to the issuance of a building permit, a subdivision map shall be recorded and improvements shall be installed in accordance with Chapter 4 of Title IV of the Modesto Municipal Code.

3. That all parking and driveway areas be improved in accordance with the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. The drainage facilities for the parking areas shall be as approved by the Director of Public Works.

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

5. That the development shall be connected to the City sanitary sewer facilities in accordance with the requirements of the Director of Public Works.

6. That any signs within the subdivision shall comply with the R-2 Zone sign provisions.

7. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Director of Planning and the Director of Parks and Recreation. The landscaping and irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system.

8. That all building and parking area setbacks shall be at least fifteen (15) feet from all street lines and at least six (6) feet from all other property lines except that minimum three (3)-foot setbacks for parking areas are approved adjacent to the Chrysler School site, the greenbelt and play area, and adjacent parking areas.

9. That the entire south property line of the subject property shall be bounded by a six (6)-foot solid redwood board fence. The entire east property line shall be bounded by a six (6)-foot redwood board fence with masonry pilasters.

10. That the entire P-D(112) property shall remain in single ownership or if the fourplex structures are to be on separate lots, prior to the issuance of a building permit for any development, the developer shall submit evidence satisfactory to the City Attorney that there has been created a Homeowner's Association including Deed of Trust with city participation to guarantee maintenance of landscaping in the greenbelt and play area.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(112):

That the entire construction program be accomplished in one phase, construction to begin on or before June 30, 1975, and be completed not later than June 30, 1976.

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 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(112) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

(SEAL)

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Nichols
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-306

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(113).

WHEREAS, a verified application for an amendment to Section 13-3-8 of the Zoning Map was filed by Allen Grant, Inc. on January 15, 1973, to reclassify from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D, for a single-family attached residential development the following described property:

R-1 to P-D(113)

Parcel 1

Parcel A of Parcel Map filed June 2, 1966 in Volume 1 of Parcel Maps at Page 153 and being a portion of the Northeast Quarter of Section 13, Township 3 South, Range 8 East Mt. Diablo Base and Meridian including also the easterly 20 feet of Conant Avenue and the southerly 20 feet of Rumble Road immediately adjacent to said Parcel A excepting therefrom the west 548 feet of the most northerly 495 feet of the above described property.

Parcel 2

Lots 1 and 2 and 16 in Block 6435; and Lot 28 in Block 6432; of Walter Heights as per Map filed July 23, 1963 in Volume 20 of Maps, Page 50, Stanislaus County Records.

Parcel 3

All that portion of the South 30 acres of the West half of the Northeast quarter of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian described as follows:

Commencing at the interior quarter corner of said Section 13 and running thence North 0° 18' West along the West line of the Northeast quarter of said Section 13, a distance of 984.55 feet; thence North 89° 21' 30" East, 50.00 feet to the true point of beginning; thence along the following 8 courses; North 89° 21' 30" East, 511.21 feet; South 0° 16' 30" East, 323.13 feet; South 89° 01' West, 196.08 feet; South 0° 18' East, 45.33 feet; South 89° 21' 30" West, 104 feet more or less; North 0- 16' 30" West, 306 feet more or less; South 89° 42' West, 161.18 feet; North 0° 18' West, 63.00 feet to the point of beginning, including also the easterly 30 feet of Conant Avenue immediately adjacent to the West line of the above described property.

WHEREAS, after public hearing held on February 20, 1973, it was found and determined by the Planning Commission that rezoning of the property as requested is not required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 73-29 which was adopted on February 20, 1973, and

WHEREAS, by Resolution No. 73-29 the Planning Commission denied the application of Allen Grant, Inc. for an amendment to Section 13-3-8 of the Zoning Map to reclassify the property described above from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D to allow a single-family attached residential development on property located south of Rumble Road and east of Conant Avenue, and

WHEREAS, an appeal to the Planning Commission's decision denying the above requested rezoning was filed with the City Council on March 5, 1973, and

WHEREAS, the Council of the City of Modesto held a public hearing in the Council Chambers on April 9, 1973, at 7:35 p.m., for the purpose of considering the appeal, and

WHEREAS, after the public hearing held on April 9, 1972, the Council found and determined that the application of Allen Grant, Inc. for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the following reasons:

1. The subject property is shown on the Planning Commission's adopted Zoning and Development Policy for the Chrysler-99 Neighborhood as being suitably situated for low density residential development.

2. The average dwelling unit density for the proposed P-D Zone is seven (7) dwellings per acre which, according to the General Plan, is low density residential development.

3. The single-family attached housing type as proposed, would introduce an innovation in housing types to the neighborhood. This is in line with the principle stated in the General Plan that a wide variety of housing types should be provided within the community.

WHEREAS, the Council has introduced Ordinance No. 1268 -C.S. on the 16th day of April, 1973, reclassifying the above-described property from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D(113),

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(113), is hereby approved in accordance with the plans titled "Proposed Zoning Map, Conant Property" and "Typical Zero Lot Line Plot Plan" stamped approved by the City Council and dated April 16, 1973, as amended in red on their faces and on file in the office of the Planning Director, subject to the following conditions:

1. That all development shall be in accordance with the plans referred to above.

2. That prior to the issuance of a building permit, a subdivision map shall be recorded and improvements shall be installed in accordance with Chapter 4 of Title IV of the Modesto Municipal Code.

3. That each dwelling unit shall be provided two (2) off-street parking spaces set back twenty (20) feet from street property lines as indicated on the typical site layout referred to above.

4. That prior to the issuance of a building permit, a landscaping and irrigation plan showing those areas around all cul-de-sacs shall be submitted by the applicant for approval by both the Director of Planning and the Director of Parks and Recreation. The landscaping and irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system.

5. That all landscaping, fences, and walls be maintained and that the premises be kept free of weeds, trash, and other debris.

6. That the development shall be connected to the City sanitary sewer facilites in accordance with the requirements of the Director of Public Works.

7. That any signs within the subdivision shall comply with the R-1 Zone sign provisions.

8. That all property lines of the above described property which border the Chrysler School shall be bounded by a six (6)-foot

solid redwood board fence; property line bordering city park property shall be bounded by a six (6)-foot redwood board fence with masonry pilasters.

9. That all structures shall maintain a minimum fifteen (15)-foot setback from all street lines.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(113):

That the entire construction program be accomplished in one phase, construction to begin on or before June 30, 1975, and be completed not later than June 30, 1976.

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 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(113), becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Nichols
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-307

RESOLUTION APPROVING PLANS AND COST ESTIMATES, DEL WEBB FIELD SHOWER, DRESSING AND RESTROOM FACILITIES, AND AUTHORIZING PAYMENT OF $300 TO ARCHITECT FOR PREPARATION OF SAME

WHEREAS, the City of Modesto and R. B. Welty & Associates, Inc. entered into an agreement dated February 20, 1973 for engineering services for construction of a new shower, dressing and restroom building at Del Webb Field; and

WHEREAS, Paragraph 6(c)(1) of said agreement provides that upon approval by resolution of the City Council of the preliminary plans and estimate of costs for the project, the sum of $300 shall be paid to R. B. Welty and Associates, Inc..

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

1. The preliminary plans and estimate of costs prepared by R. B. Welty & Associates, Inc. for construction of a new shower, dressing and restroom building at Del Webb Field are hereby approved;

2. Payment of $300 to R. B. Welty & Associates, Inc. for preparation of the preliminary plans and estimate of costs 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 April, 1973 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chyngweth
W. T. CHYNGWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 308

A RESOLUTION AUTHORIZING COMPENSATION FOR REQUIRED COURT APPEARANCES BY MEMBERS OF THE MODESTO POLICE RESERVE.

WHEREAS, Chapter 7 of Title III of the Modesto Municipal Code creates the Modesto Police Reserve, and

WHEREAS, periodically it is necessary for members of the Police Reserve to appear in Court as witnesses in cases in which they have participated in their capacity as members of the Police Reserve, and

WHEREAS, periodically it is necessary for members of the Police Reserve to be called upon to escort prisoners from jail to Court, and

WHEREAS, members of the Police Reserve must take time off from their regular employment and other activities to make such appearances in Court, often resulting in a loss of income to them, and

WHEREAS, it is deemed appropriate to pay members of the Police Reserve for such Court appearances,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that required Court appearances by members of the Modesto Police Reserve shall be compensated for at a budgeted hourly rate. A minimum of two (2) hours shall be paid for each Court appearance. Court lunch recess shall not be counted in the total hours compensated. All Court time shall be recorded and approved by the Chief of Police.

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized, subject to the prior approval of the City Manager, to promulgate rules and regulations, pursuant to Section 3-7.12 of the Modesto Municipal Code, 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 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

(SEAL) ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM: Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 309

A RESOLUTION EXPRESSING THE CITY OF MODESTO'S GRATITUDE TO VARIOUS GOVERNMENTAL AGENCIES FOR THEIR ASSISTANCE IN WINNING THE "ALL AMERICA CITY" AWARD

WHEREAS, the Modesto community has been named an "All America City" for 1972 by the National Municipal League in conjunction with the Saturday Evening Post; and

WHEREAS, the All America City award is given to those communities in which the citizens have been instrumental in instigating outstanding projects and working to complete those projects; and

WHEREAS, the projects on which Modesto's All America City title was based took the cooperation of all of the citizens as well as the various governmental agencies in the community;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby expresses its gratitude and appreciation to the Modesto City Schools District Board of Education, the Stanislaus County Board of Supervisors, the Yosemite Junior College District Board of Trustees, and the Sylvan Union School District Board of Trustees, for their outstanding efforts and cooperation on the projects that made this award possible.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/08-10

MODESTO CITY COUNCIL
RESOLUTION NO. 73-310

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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 improvements described in the notices which are attached hereto and incorporated by reference herein.

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 7th day of May, 1973, at 4:15 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 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/08-10

(a) Sidewalk along Encina Ave. at 432 Camellia Way, Lot 18 of Block 2129. (Anthony Barse)

(b) Sidewalk along Encina Ave. at 1200 Encina Ave., Lot 18 of Block 2058 (Eldon W. Bauman)

(c) Sidewalk along Encina Ave. at 1322 Encina Ave., Lot 1 of Block 2059 (Nano Benjamin)

(d) Sidewalk along Encina Ave. at 504 Wilson Ave., the east 108.37 of Lot 1 of Block 2171. (William Bertie)

(e) Sidewalk along Encina Ave. at 417 N. Santa Ana Ave., a portion of Block 2028. (Annie Brannan)

(f) Sidewalk at 1211 Encina Ave., Lot 29 of Block 2169. (Arthur H. Gingrich)

(g) Sidewalk at 1223 Encina Ave., Lot 27 of Block 2169. (Daniel W. Hill)

(h) Sidewalk along Encina Ave. at 1203 Encina Ave., Lot 30 of Block 2169. (Harold D. Millerman)

(i) Sidewalk along Encina Ave. at 1550 Encina Ave., Lot 1 of Block 2129 (Jerold J. Pitts)

(j) Sidewalk along Encina Ave. at 818 Encina Ave., a portion of Block 2026 (Cleveland J. Stockton)

(k) Sidewalk at 1101 Encina Ave., Lot 12 of Block 2171. (C. E. Williams)

NOTICE IS HEREBY GIVEN:

NAME Anthony & Elvira H. Barse

ADDRESS 3665 N. Mayfield Av, San Bernardino, CA 92405

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 18 of Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0108-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Encina Avenue on the North side of Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:15 p.m. on the 7th day of May, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 16th day of April, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Eldon W. & Lucy Bauman

ADDRESS 1200 Encina Av, Modesto, CA 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 18 and the North 10 feet of Lot 17 of Block 2058 of Wilson School Tract No. 2 as per map filed May 17, 1940 in Volume 11 of Maps, Page 74, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. 002 01 108-0809-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Encina Avenue on the North side of Block 2058 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:15 p.m. on the 7th day of May, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 16th day of April, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Nano Benjamin

ADDRESS 1322 Encina Avenue, Modesto, California 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 2059 of Wilson School Tract No. 3 as per map filed December 1, 1945 in Volume 14 of Maps, Page 40, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 108-0828-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Encina Avenue on the North side of Block 2059 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:15 p.m. on the 7th day of May, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 16th day of April, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME William and Judy Bertie

ADDRESS 504 Wilson Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 108.37 feet of Lot 1 of Block 2171 of Resubdivision of Thousand Oaks Tract as per map filed June 12, 1946 in Volume 14 of Maps, Page 63, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 108-0601-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Encina Avenue on the South side of Block 2171 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:15 p.m. on the 7th day of May, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 16th day of April, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Annie Brannon

ADDRESS 417 N. Santa Ana Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 70 feet of the North 130 feet of the West 124.64 feet of the East 154.64 feet of Lot 36 of Wilson School Tract as per map filed February 24, 1924 in Volume 9 of Maps, Page 82, Stanislaus County Records.

Stanislaus County Parcel No. (002-01 108-0742-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Encina Avenue on the North side of Block 2028 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:15 p.m. on the 7th day of May, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 16th day of April, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Arthur H. Gingrich

ADDRESS 1211 Encina Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 29 of Block 2169 of Resubdivision of Thousand Oak Tract as per map filed June 12, 1946 in Volume 14 of Maps, Page 63, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 108-0428-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Encina Avenue on the South side of Block 2169 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:15 p.m. on the 7th day of May, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 16th day of April, 19 73.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Harold D. and Nancy H Millerman

ADDRESS 1203 Encina Avenue, Modesto, California 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 30 of Block 2169 of Resubdivision of Thousand Oaks Tract as per map filed June 12, 1946 in Volume 14 of Maps, Page 63, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 108-0429-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Encina Avenue on the South side of Block 2169 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:15 p.m. on the 7th day of May, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 16th day of April, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Jerold J. and Cheryl A. Pitts

ADDRESS 1550 Encina Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 2129 of Covena Park Tract #2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 116-0109-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Encina Avenue on the North side of Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:15 p.m. on the 7th day of May, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 16th day of April, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Cleveland J. and Jeanne H. Stockton

ADDRESS 818 Encina Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1, less the South 7 feet, of Block 1 of Las Palmas Tract as per map filed February 20, 1930 in Volume 11 of Maps, Page 16, Stanislaus County Records

Stanislaus County Assessor's Parcel No. (002-01 108-0709-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Encina Avenue on the North side of Block 2026 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:15 p.m. on the 7th day of May, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 16th day of April, 1973.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 73-311

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TIDEWATER SOUTHERN RAILWAY COMPANY FOR THE CONSTRUCTION AND MAINTENANCE OF MORRIS AVENUE ACROSS THE RIGHT OF WAY OF THE RAILROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Tidewater Southern Railway Company for the construction and maintenance of Morris Avenue across the right of way of the railroad 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 April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-312

A RESOLUTION APPROVING THE FINAL MAP OF THE LINCOLN MANOR NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Charles M. Gargotto and Alta M. Gargotto, husband and wife,

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 10.739 acres, known as the LINCOLN MANOR NO. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 19th day of December, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said LINCOLN MANOR NO. 1 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 of the LINCOLN MANOR NO. 1 Subdivision 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 in the amount of Two Thousand, Five Hundred Sixty-Seven and 70/100ths ($2,567.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-313

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,800 TO PROVIDE ADDITIONAL FUNDS NEEDED FOR XEROX RENT AND SUPPLIES FOR THE REST OF THE 1972-73 FISCAL YEAR

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$1,800
TO:	Xerox Rent & Supplies (217-9-101)	$1,800

(New Xerox obtained during the year. Greater volume of use, including FACE Program)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-314

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $3,500 TO PROVIDE FUNDS NEEDED FOR THE REPAIR OF DAMAGE TO VEHICLES AND EQUIPMENT IN THE EQUIPMENT POOL

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

WORKING CAPITAL FUND (512)

FROM:	
Reserve Appropriation (60-48-512)	$3,500
TO: Damage Repair (334-48-512)	$3,500

(This account provides for the repair of damage to vehicles and equipment in the equipment pool. The funds in this account have now been expended and the transfer is needed for the balance of the fiscal year. The cost to repiar the City vehicle is billed to the other party, if he is at fault.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-315

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,000 TO PROVIDE FUNDS NEEDED FOR THE PURCHASE OF A NEW PIANO FOR THE SENIOR CITIZENS CENTER

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Part-time (120-32-101)	$1,000
TO:	Piano (5401-39-101)	$1,000

(This will provide for the purchase of a new piano to replace an obsolete piano which, in the opinion of three different tuners we contacted, can no longer be tuned and can no longer be repaired)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-316

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $817 TO PROVIDE FUNDS FOR THE PURCHASE AND INSTALLATION OF A RADIO TO BE INSTALLED IN ONE HIGH RANGER

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Part-time (120-33-101)	$817
TO:	Radio for High Ranger (5402-36-101)	$817

(This will provide for the purchase and installation of a radio to be installed in one high ranger. It will enable us to direct the ranger from a control center during emergencies)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-317

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,014 TO PROVIDE FUNDS FOR THE PURCHASE AND INSTALLATION OF THREE STEEL UTILITY BOXES TO BE USED ON THE LEADMEN'S PICKUPS

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

GENERAL FUND (101)

FROM:	Gardening Supplies (310-35-101)	$370
	Salaries & Wages, Part-time (120-35-101)	$286
	Services, Prof. & Other (235-33-101)	$358
TO:	Utility Boxes (3) (5401-36-101)	$1,014

(This will provide for the purchase and installation of three steel utility boxes to be installed on the Leadmen's pickups which will enable them to keep the tools which they carry on their trucks under lock and key)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-318

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,130 TO PROVIDE FUNDS FOR THE REROOFING OF THE UTILITY BUILDING, UMPIRES' ROOM & RESTROOM AT DEL WEBB FIELD AND RESTROOM BUILDING AT MELLIS PARK

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

GENERAL FUND (101)

FROM:	Gardening Supplies (310-35-101)	$1,130
TO:	Maintenance & Repair, Buildings & Grounds (224-35-101)	$1,130

(This will provide for the reroofing of the utility building including office, umpires' room, and restroom at Del Webb Field, $630; and for the reroofing of the restroom building at Mellis Park, $500)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-319

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,014 TO PROVIDE FUNDS FOR THE PURCHASE AND INSTALLATION OF THREE STEEL UTILITY BOXES ON THE LEADMEN'S PICKUPS

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Part-time (120-35-101)	$1,014
TO:	Utility Boxes (3) (5402-35-101)	$1,014

(This will provide for the purchase and installation of three steel utility boxes to be installed on the Leadmen's puckups which will enable them to keep the tools which they carry on their trucks under lock and key, and will permit them to follow up on any minor repair jobs)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-320

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $315 TO PROVIDE FUNDS FOR THE PURCHASE OF FOUR 4' x 6' WRESTLING MATS

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

GENERAL FUND (101)

FROM:	Services, Prof. & Other (235-33-101)	$315
TO:	Wrestling Mats (4) (5402-33-101)	$315

(This will provide for the purchase of four 4' x 6' wrestling mats which will be used for judo, wrestling and tumbling, and can be zipped together to form one large mat)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-321

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $220 TO PROVIDE FUNDS TO PURCHASE A NEW BLACK AND WHITE 19" TELEVISION TO BE USED AT MADDUX YOUTH CENTER

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

GENERAL FUND (101)

FROM:	Services, Prof. & Other (235-33-101)	$220
TO:	Television (5401-33-101)	$220

(This will provide for the purchase of a new black and white 19" television set to replace an old, worn out black and white set which is beyond repair)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-322

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $240 TO PROVIDE FUNDS FOR THE REPLACEMENT OF AN OBSOLETE PUBLIC ADDRESS SYSTEM WHICH IS USED IN VARIOUS RECREATION PROGRAMS

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Part-time (120-32-101)	$240
TO:	Public Address System (5402-32-101)	$240

(This will provide for the replacement of an obsolete public address system which is beyond repair and was purchased approximately 15 years ago. This public address system is used in various recreation programs throughout the year)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-323

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $175 TO PROVIDE FUNDS FOR THE PURCHASE OF A PING PONG TABLE NEEDED FOR SHERWOOD PARK

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Part-time (120-32-101)	$175
TO:	Ping Pong Table (5401-32-101)	$175

(This will provide for the purchase of a ping pong table needed for Sherwood Park, which will begin its first summer program this year)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-324

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $100 TO PROVIDE FUNDS FOR THE PURCHASE OF SIX CARD TABLES

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Part-time (120-30-101)	$100
TO:	Card Tables (6) (5402-30-101)	$100

(This will provide for the purchase of six card tables which are needed for general game days, senior citizens game days, registration for conferences, and sewing classes)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-325

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $96 TO PROVIDE FUNDS FOR THE PURCHASE OF AN ANNOUNCEMENT BOARD TO BE USED AT KING-KENNEDY MEMORIAL CENTER

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Part-time (120-30-101)	$96
TO:	Announcement Board (5401-30-101)	$96

(This will provide for the purchase of an announcement board for schedule of activities at the Center. The existing small bulletin board is completely taken up with job announcements and general service notices)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-326

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $420 TO PROVIDE FUNDS FOR THE PURCHASE OF A ROOM AIR CONDITIONER TO BE USED AT MUSEUM

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

GENERAL FUND (101)

FROM:	Utilities (210-29-101)	$420
TO:	Room Air Conditioner (5401-29-101)	$420

(This will provide for the purchase of an additional room air conditioner to be installed in the area which houses the blacksmith shop and other displays. The other two units in the Museum are not sufficient to cool this room)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-327

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $182 TO PROVIDE FUNDS FOR THE PURCHASE OF DRAWERS FOR TABLE AND TWO FILE CABINETS

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

GENERAL FUND (101)

FROM:	Salaries/Wages, Regular (110-42-101)	$182
TO:	Capital Item/Drawers for Table (5501-42-101)	$ 84
	Capital Item/File Cabinet (5502-42-101)	$ 98

(In City Manager's review of 73-74 budget, he authorized purcase of drawers for table and two file cabinets from available 72-73 funds)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-328

RE
A RESOLUTION/APPOINTING MEMBER OF THE DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD FOR A TERM ENDING MARCH 28, 1977 (Dr. Robert Moon)

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 Downtown Improvement District Advisory Board for the respective term as indicated: (Term ending March 28, 1977)

Dr. Robert Moon
2410 Kenmore Court
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re/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 16th day of April, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-329

RESOLUTION AUTHORIZING FILING APPLICATION FOR FEDERAL GRANT FOR SEWAGE TREATMENT WORKS AND PROVIDING CERTAIN ASSURANCES

BE IT RESOLVED by the City Council of the City of Modesto (Governing Board of Municipality) that the City Manager of the City of Modesto (Name and Title of Representative) is hereby authorized and directed to sign and file, for and on behalf of the City of Modesto (Municipality), Application for Federal Grant For Sewage Treatment Works Under 33 U.S.C. 466 et seq. and any agreements or other documents necessary to secure and receive such grant and a State Grant for Clean Water under the Clean Water Bond Law of 1970.

BE IT FURTHER RESOLVED that the City of Modesto (Municipality) hereby agrees and further does authorize the aforementioned Representative to certify that if a Federal grant for its project is made pursuant to the Federal Water Pollution Control Act, as amended (33 U.S.C.1171 et seq.), it will pay the remaining cost of the approved project; it will provide proper and efficient operation and maintenance of the approved project after completion of construction thereof; it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and the regulations issued pursuant thereto and states that the Assurance of Compliance with such Regulation attached to the Application for Federal Grant applies to this project; and it will comply with requirements of Executive Order 11246 pertaining to equal employment opportunity in Federally-assisted construction contracts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution a
adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

CERTIFICATION

I do hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the City Council held on April 16, 1973 (date).

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-330

A RESOLUTION EXPRESSING THE CITY OF MODESTO'S GRATITUDE TO VARIOUS AGENCIES FOR THEIR ASSISTANCE IN WINNING THE "ALL-AMERICA CITY" AWARD

WHEREAS, the community of Modesto has been named "All-America City" for 1972 by the National Municipal League, in conjunction with the Saturday Evening Post; and

WHEREAS, the "All-America City" award is given to those communities where citizens have been instrumental in initiating outstanding projects and bringing them to completion; and

WHEREAS, these projects, upon which the "All-America City" title is based, required the cooperation of all citizens, as well as various agencies in the community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby expresses its gratitude and appreciation to the following for their outstanding efforts and cooperation in making this award possible:

American G. I. Forum of the U. S.

King-Kennedy Memorial Center Board of Directors

Black Caucus

Stanislaus Indian Club

West Side Neighborhood Council

Work Incentive Program, Department of Human Resources Development

Department of Housing and Urban Development

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1973 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-331

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF ELEVEN-41, DBA MODESTO AMBULANCE CO., FOR LICENSE TO OPERATE AMBULANCES AND A LIMITED AMBULANCE IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 7, 1973 , at 4:20 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Eleven-41, dba Modesto Ambulance Co., for license to operate ambulances and a limited ambulance 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 23rd day of April , 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-332

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR INSTALLATION OF WATER-LINES IN ARINGTON MANOR AND KINGSWOOD ESTATES NO. 2 SUBDIVISIONS

WHEREAS, Resolution No. 73-274 , adopted by the Council of the City of Modesto on April 2, 1973 , approved the plans and specifications for the installation of waterlines in Arington Manor and Kingswood Estates No. 2 Subdivisions and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Arington Manor and Kingswood Estates No. 2 Subdivisions were opened at 10:00 A.M. on April 2, 1973 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 Joe Martin in the amount of $10,819.75

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $10,819.75

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 23rd day of April, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-333

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WET WELL AT 1000 OAKS LIFT STATION (Shield Construction Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Wet Well at 1000 Oaks Lift Station has been completed by Shield Construction Co., Inc.

in accordance with the contract agreement dated December 18, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of Wet Well at 1000 Oaks Lift Station be accepted from said contractor, Shield Construction Co., Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $7,250.00 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 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-334

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,000 TO PROVIDE ADDITIONAL FUNDS NEEDED FOR CONSTRUCTION OF WET WELL AT 1000 OAKS LIFT STATION

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

SEWER SERVICE FUND (212)

FROM:	Almond Street Line Replacement (6600-212)	$1,000
TO:	Improve Thousand Oaks Pump Plant (6573-212)	$1,000

(Inspection costs exceeded amount budgeted because of wet weather and flooding at the Thousand Oaks Pump)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-335

A RESOLUTION DENYING THE APPEAL BY THE OWNERS OF THE HAPPY BURGER AND HAPPY STEAK RESTAURANTS TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT UPHOLDING THE DECISION OF THE CHIEF BUILDING OFFICIAL THAT THE ROTATING PORTION OF THEIR EXISTING SIGN AT 1809 AND 2001 McHENRY AVENUE BE STOPPED.

WHEREAS, the sign regulations of the City of Modesto required the rotating portion of all existing rotating signs in the City to be stopped by January 1, 1973, unless stopping the rotating portion "would substantially destroy the utility of the sign", and

WHEREAS, the Chief Building Official, as administrator of the sign regulations, determined that stopping the rotation of the Happy Burger and Happy Steak Restaurants' sign at 1809 and 2001 McHenry Avenue would not substantially destroy the utility of the sign, and ordered that the sign stop rotating, and

WHEREAS, the owner of Happy Burger and Happy Steak Restaurants at 1809 and 2001 McHenry Avenue filed an appeal to the Board of Zoning Adjustment from the decision of the Chief Building Official, as authorized by Section 9-6.10 of the Modesto Municipal Code, and

WHEREAS, after a public hearing held on February 22, 1973, the Board of Zoning Adjustment found and determined that stopping the rotating portion of the Happy Burger and Happy Steak Restaurants' sign at 1809 and 2001 McHenry Avenue would not substantially destroy the utility of the sign, and by its Resolution No. 469 denied the appeal by the owners of the Happy Burger and Happy Steak Restaurants to the decision of the Chief Building Official and affirmed the decision of the Chief Building Official requiring said sign to stop rotational movement, and

WHEREAS, the owners of the Happy Burger and Happy Steak Restaurants filed an appeal with the City Clerk on March 20, 1973, to the decision of the Board of Zoning Adjustment requiring said sign to stop rotational movement, 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 4:05 p.m. on April 2, 1973, at which time said hearing was continued to April 23, 1973, at 7:35 p. m., at which time said hearing was held and evidence both oral and documentary was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that stopping the rotation of the

Happy Burger and Happy Steak Restaurants' sign at 1809 and 2001 McHenry Avenue would not substantially destroy the utility of the sign.

BE IT FURTHER RESOLVED by the Council that the appeal by the owner of the Happy Burger and Happy Steak Restaurants to the decision of the Board of Zoning Adjustment upholding the decision of the Chief Building Official is hereby denied and the decision of the Chief Building Official and the Board of Zoning Adjustment requiring said sign to stop rotational movement is affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-336

A RESOLUTION AMENDING CONDITION 2 OF SECTION 1 OF RESOLUTION NO. 71-913 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (95)." (JOHN N. UHL)

WHEREAS, a request has been made to amend P-D (95) to eliminate the requirement for full sidewalk on the 14th Street frontage of said P-D (95), and

WHEREAS, said matter was set for a 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 April 16, 1973, at 4:15 o'clock p. m. at which time said public hearing was continued to April 23, 1973, at 7:45 o'clock p. m. at the above location, and

WHEREAS, after a public hearing held at the above times and place, and upon evidence both oral and documentary being taken and introduced, the Council found and determined that Condition 2 of Section 1 of Resolution No. 71-913 entitled "A Resolution Approving a Development Plan for Planned-Development Zone, P-D (95)" should be amended,

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

SECTION 1. Condition 2 of Section 1 of Resolution No. 71-913 entitled "A Resolution Approving a Development Plan for Planned-Development Zone, P-D (95)" is hereby amended to read as follows:

> "2. That the developer shall construct curb and gutter and 5' sidewalk on the E Street frontage of this development and shall patch E Street next to the curb and gutter with matching street pavement. The developer shall construct full concrete sidewalk on the 14th Street frontage of this development at such time as the City Council determines that such full sidewalk is needed."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-337

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE UNITED STATES COAST GUARD AUXILIARY, DISTRICT XII, DIVISION X, FLOTILLA II, FOR USE OF FORMER LINCOLN SCHOOL SITE FOR BOAT INSPECTIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the United States Coast Guard Auxiliary, District XII, Division X, Flotilla II, for use of former Lincoln School site for boat inspections on Saturday, May 12, 1973

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 April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-338

A RESOLUTION COMMENDING THE MODESTO POLICE RESERVES FOR CONTRIBUTIONS TO 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 thirty-seven (37) 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 1972 alone, the Police Reserves served a total of twelve thousand and fifty-five (12,055) 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 1972, 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 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-339

A RESOLUTION APPROVING THE ACQUISITION OF PROPERTY FOR THE TUOLUMNE RIVER REGIONAL PARK. (EXCESS LAND - STATE OF CALIFORNIA)

WHEREAS, the Tuolumne River Regional Park Committee has recommended the purchase of a parcel of excess land owned by the State of California for inclusion in the Tuolumne River Regional Park, said parcel being described as shown in the attached letter with accompanying map and description from the State of California, all of which are attached hereto and marked Exhibit A, pages 1, 2 and 3, and

WHEREAS, Paragraph 3 of the Tuolumne River Regional Park agreement requires that the governing body of each of the parties to said agreement approve the acquisition of properties for the Tuolumne River Regional Park subject to the availability of funds and reasonableness of acquisition cost of each acquisition, and

WHEREAS, the State of California has had said parcel appraised for Five Thousand and no/100ths ($5,000.00) Dollars and has offered it for sale for said appraised value, and

WHEREAS, there are sufficient funds available in the Tuolumne River Park Fund for the acquisition of said parcel,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the purchase of the parcel of excess land owned by the State of California, and shown and described in Exhibit A, attached hereto for a cost not to exceed Five Thousand and no/100ths ($5,000.00) Dollars, plus costs of acquisition. Said acquisition to be paid for with funds from the Tuolumne River Park Fund, and title to said property to vest in all of the parties to the Tuolumne River Regional Park agreement, as provided for in said agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

DIVISION OF HIGHWAYS
P.O. BOX 2048, STOCKTON 95201
NEAL ANDERSEN, DISTRICT 10 ENGINEER

March 5, 1973

10-Sta-99
Excess Parcels: 4365-01-01
4366-01-01
4367-01-01



Mr. Marvin Ray
Deputy City Manager
City of Modesto
P. O. Box 642
Modesto, California 95353

Dear Mr. Ray:

In your letter of December 1, 1972 you indicated that the City of Modesto may be interested in acquiring the parcel of State-owned excess land as shown on the attached map.

We have had this parcel appraised and are now in a position to offer it to the City of Modesto for the appraised value of $5,000.00.

If this is agreeable to you, please submit a check made payable to the Division of Highways, District 10, in the amount of $5,000.00. Also, please send us a certified copy of a Resolution by the City Council accepting title to the parcel. This Resolution should state that the purchase of the parcel is for public use only. I have enclosed a copy of the legal description for your use.

Please note that you have 60 days in which to indicate your interest at the appraised value. This sale, as with all excess land sales, is subject to the final approval of the California Highway Commission. If we do not hear from you within 60 days, the property will be placed up for Public Sealed Bid Sale.

Should you have any questions, please call me.

Very truly yours,

W. John Schmidt

W. JOHN SCHMIDT
Excess Lands Manager

C E R T I F I E D

Attachments

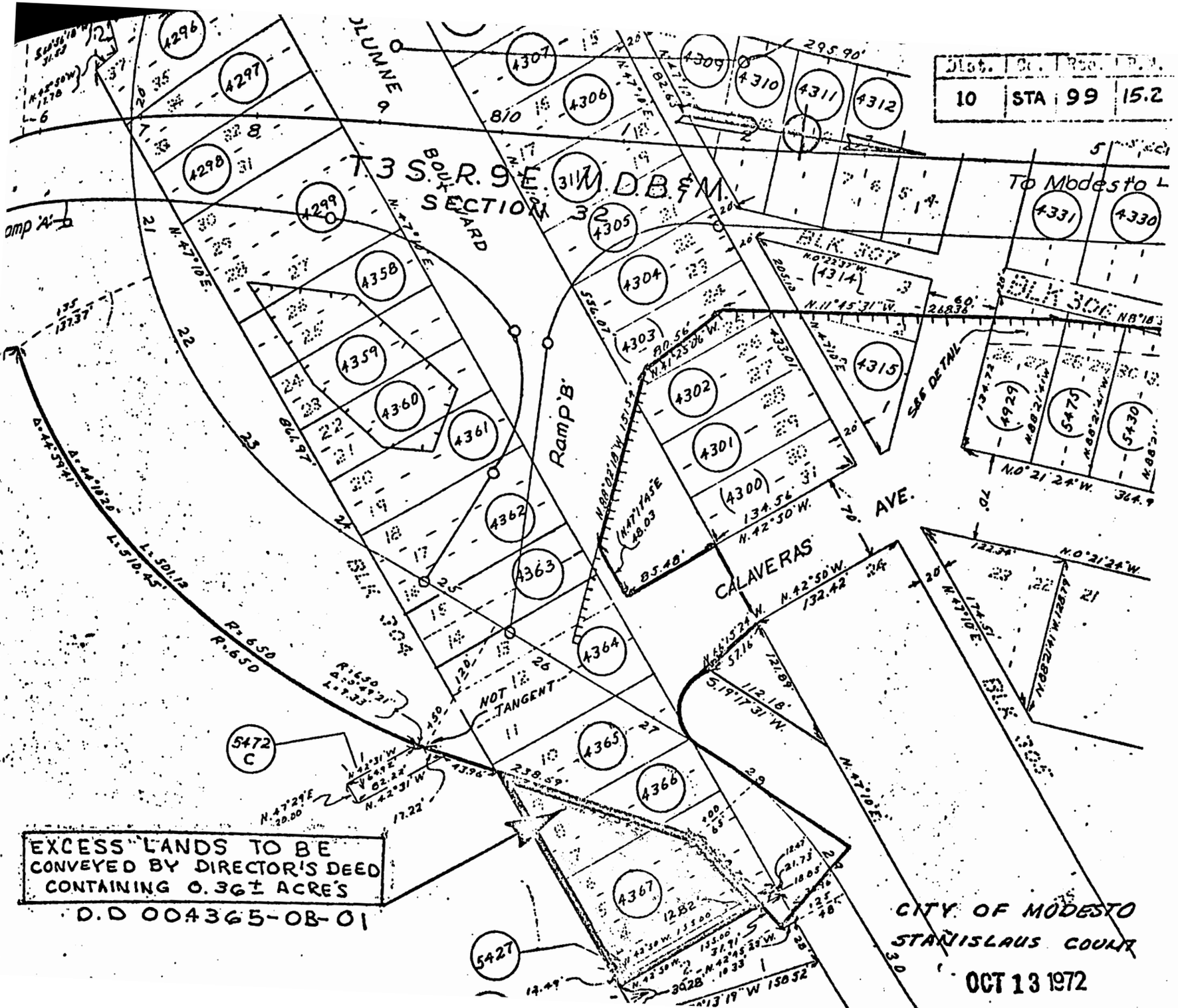


EXHIBIT "A"
Page 2

A portion of Lots 3, 4, 5, 6, 7, 8, 9, and 10, in Block 304 of the "CITY OF MODESTO", according to the Official Map thereof, filed for record, December 21, 1942 in Volume 15 of Maps, Stanislaus County Records, said portion being all that part of said Lots lying southwesterly of the northeasterly line of that certain parcel of land conveyed to the State of California by deed recorded August 29, 1957 in Volume 1443 of Official Records, Page 36, Stanislaus County Records and lying easterly of the following described line:

Beginning at the most southerly corner of that certain parcel of land conveyed to the State of California by deed recorded August 4, 1960 in Volume 1627 of Official Records Page 243, as Instrument No. 21899 Stanislaus County Records, thence (1) S. 34° 10' 40" W., 70.84 feet; thence (2) S. 4° 31' 54" W., 194.73 feet to the southeast line of said Lot 10.

Containing 0.36 of an acre more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-340

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DEWEY L. AND MEREDITH C. STINE FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1512 LORRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Dewery L. and Meredith C. Stine for sewer service to property outside the City at 1512 Lorry 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 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-341

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RUSSELL M. AND ANNA E. EDSON FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3456 McHENRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Russell M. and Anna E. Edson for sewer service to property outside the City at 3456 McHenry 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 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-342

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LAUREN AND CARRIE EVEY FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 2052 LANCE STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lauren and Carrie Evey for sewer service to property outside the City at 2052 Lance 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 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-343

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LESLIE T. AND GERALDINE E. VICK FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1204 TROMBETTA AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Leslie T. and Geraldine E. Vick for sewer service to property outside the City at 1204 Trombetta 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 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-344

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. RAY E. POTTER FOR THE DEMOLITION AND REMOVAL OF CITY-OWNED DWELLING, BLOCK 110

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mr. Ray E. Potter
for the demolition and removal of City-owned dwelling, Block 110 (Payment to the City of $1.00)
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 April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-345

A RESOLUTION APPROVING THE FINAL MAP OF THE GRANADA PARK NO. 4 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, James E. Price and Melba L. Price, husband and wife, and Edward Johnson and Velma Johnson, husband and wife, individuals,

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 16.20 acres, known as the Granada Park No. 4 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 21st day of July, 1970, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Granada Park No. 4 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 of the Granada Park No. 4 Subdivision 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 in the amount of Three Thousand, Eight Hundred Fifty-Two and 20/100ths ($3,852.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 23rd day of April _____, 19 73, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-346

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,068 TO PROVIDE FUNDS FOR THE ACCELERATED PURCHASE OF EQUIPMENT REQUESTED IN THE 1973-74 BUDGET

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

GENERAL FUND (101)

FROM:	Equipment Rental Charge (218-41-101)	$1,068
TO:	Drafting Machine 2 (5504-41-101)	420
	Walkie-Talkie Type Radio, 1 set (5405-41-101)	300
	Radio Microphone (5505-41-101)	63
	Auxiliary Drawer Units 3 (5506-41-101)	285

(The requested items all contribute to improved efficiency and were in the budget requests for 1973-74. By using the savings in account 218-41-101 to accelerate the purchases earlier, improvement in operations can be realized. See memo to City Manager from Director of Public Works dated April 17, 1973)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April 19 73, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-347

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $2,487 TO PROVIDE FUNDS FOR THE PURCHASE OF OFFICE MACHINES AND EQUIPMENT

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

GENERAL FUND (101)

FROM:	Rent of Equipment (216-15-101)	$2,487
TO:	Computer File - Card Separator (5501-15-101)	219
	Desk Top Organizer (5502-15-101)	70
	Calculator W/Tape (5503-15-101)	512
	Adding Machines (2) (5504-15-101)	340
	Calculator, Electronic (5505-15-101)	280
	Shelving, Steel (3 Units) (5506-15-101)	380
	Typewriter (5507-15-101)	686

(To provide appropriations for office machines and equipment presently needed by Finance Department personnel)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 19 73, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-348

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,600 TO PROVIDE FUNDS NEEDED FOR INCREASE TO DIRECTOR AND SECRETARY

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

DOWNTOWN IMPROVEMENT DISTRICT FUND (218)

FROM:	Reserve (60-218)	$1,600
TO:	Service and Professional (235-218)	$1,600

(To cover increases in salary to Exec. Director and Secretary - increase to director of $52.00 per month 2-1-73 - Also beginning of 1972-73 Budget cost of living increase not added to wage account)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-349

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $3,196 TO PROVIDE FUNDS FOR THE ACCELERATED PURCHASE OF EQUIPMENT REQUESTED IN THE 1973-74 BUDGET

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

GENERAL FUND (101)

FROM:	Gate Valve Stand (5409-50-101)	$3,196
TO:	Tool, Shop & Field Supplies (308-51-101)	360
	Block Heater (5402-19-101)	88
	Cabinet Bench-663 (5401-19-101)	190
	Pickup Compartments (5401-54-101)	510
	Cable Fault Locator (5405-43-101)	845
	Pilot Shut-off Tool (5408-50-101)	95
	Engine Muffler (5407-50-101)	523
	Steel Pickup Compartment (5406-50-101)	184
	Valve Locator (5405-50-101)	401

(The requested items all contribute to improved efficiency and were in the budget requests for 1973-74. By using the savings in account 5409-50-101 to accelerate the purchases earlier, improvement in operations can be realized. See memo to City Manager from Director of Public Works dated April 18, 1973)

The foregoing reaolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1973, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-350

A RESOLUTION APPOINTING MEMBER OF THE FARM-CITY ADVISORY COMMITTEE FOR A TERM ENDING MAY 1, 1977 (Sherman Boone)

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 Farm-City Advisory Committee for the respective term as indicated: (Term ending May 1, 1977)

Sherman Boone
5736 N. Sperry Road
Denair, California 95316

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Farm-City 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 23rd day of April, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-351

A RESOLUTION APPOINTING COUNCILMAN SIMON AS A MEMBER OF STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (SAAG)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Simon is hereby appointed as a member of the Stanislaus Area Association of Governments.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-352

A RESOLUTION APPOINTING COUNCILMAN SIMON AN AN INTERIM MEMBER OF THE EXECUTIVE COMMITTEE OF STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (SAAG)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Simon is hereby appointed an an interim member of the Executive Committee of Stanislaus Area Association of Governments.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 353

A RESOLUTION OF THE CITY OF MODESTO DECLARING CANVASS OF RETURNS AND RESULT OF GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, APRIL 17, 1973.

WHEREAS, the Council of the City of Modesto duly called and ordered held in said City and in the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County on Tuesday, the 17th day of April, 1973, a General Municipal Election to elect one Councilman (Chair No. 2) for a full term of four years, one Councilman (Chair No. 4) for a full term of four years, and one Councilman (Chair No. 5) for a full term of four years, and two (2) members of the Board of Education for full terms of four (4) years each, and for the purpose of voting upon Measure A, City of Modesto Initiative Ordinance, and

WHEREAS, said General Municipal Election was held on Tuesday, April 17, 1973, in accordance with law and the proceedings of said Council and the votes thereat received and canvassed and the returns thereof ascertained, determined, and declared in all respects as required by law,

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

1. The City Clerk of the City of Modesto is hereby instructed to enter this resolution on the minutes of this Council as a statement of the results of said election.

2. The total number of votes cast at said General Municipal Election was 15,870 votes.

(a) The total number of votes cast at said election in said City was 13,125 votes.

(b) The total number of votes cast outside of the City limits of said City and inside the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County was 2,745 votes.

3. The following is a true and correct compilation of all votes cast at said election:

Reso 73-353
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 69.
Unable to remove safely for scanning.

4. That at said general 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, for the term commencing April 24, 1973, and the City Clerk is hereby directed to issue a Certificate of Election to each of said persons, certifying his election to the office appearing after his 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	Member, City Council, for four-year term, Chair No. 2
Harry T. Kullijian	Member, City Council, for four-year term, Chair No. 4
Phillip E. Newton	Member, City Council, for four-year term, Chair No. 5
Robert C. Bienvenu	Member, Board of Education, for four-year term
Evelyn Burris	Member, Board of Education, for four-year term

5. That at said election Measure A entitled:

City of Modesto Initiative Ordinance	Shall the ordinance entitled "An Ordinance to be Referred to as the Modesto Environmental Quality Act" be adopted?

received the following votes:

Yes	No	
5,046	7,165	Measure A failed - majority vote required

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 24th day of April, 1973, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-354

A RESOLUTION APPROVING USE OF DOWNTOWN SIDEWALKS MAY 10, 11 AND 12, 1973 FOR SIDEWALK SALES

WHEREAS, the Modesto Downtown Improvement District has requested the use of downtown sidewalks on May 10, 11 and 12, 1973 for downtown's annual Spring Sidewalk Sale.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of the Modesto Downtown Improvement District for use of downtown sidewalks on May 10, 11 and 12, 1973 for the downtown's annual Spring Sidewalk Sale 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 May, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-355

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF ROCK, SAND AND GRAVEL

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

SECTION 1. The plans and specifications for FURNISHING ANNUAL requirements of rock, sand and gravel

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 22, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-356

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING 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 furnishing 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 May 22, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-357

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 furnishing 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 22, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-358

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF LIQUID AND EMULSIFIED ASPHALTS

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

SECTION 1. The plans and specifications for furnishing annual requirements of liquid and emulsified asphalts

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 22, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-359

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF CURBS AND GUTTERS AT BEARD BROOK PARK

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

SECTION 1. The plans and specifications for construction of curbs and gutters at Beard Brook 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 22, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-360

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF TENNIS COURTS IN DAVIS PARK

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

SECTION 1. The plans and specifications for construction of tennis courts in Davis 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 22, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-361

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. (OLD OAKDALE NO. 2 ADDITION)

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 March 12, 1973, duly adopted Resolution No. 73-222 (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. 104 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, May 7, 1973, at the hour of 4:05 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. 104 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. 104 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. 104, 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. 104, 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 7th day of May, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynowth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

RHH 3-28-73

By R Mongrell
Public Works Department

September 19, 1972

Revised October 11, 1972

OLD OAKDALE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 14, the Northwest quarter of the Northwest quarter of Section 23, and the East half of Section 22, 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 ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, said point also being the corner common to Sections 14, 15, 22 and 23; thence along the Southern boundary of said ADDITION (230), said line being also common to Sections 15 and 22, South 89°50'35" West, 1311.57 feet, to the Northeastern corner of the ROSE ACRES NO. 3 ADDITION (225), as per description filed January 24, 1969, as Instrument 2734, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (225), South 00°41'30" East, 644.62 feet, to the Northeastern corner of the KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (179), South 00°41'30" East, 514.00 feet, to the Northeastern corner of the GREENFIELD ADDITION (251), as per description filed April 17, 1970, as Instrument 12047, Stanislaus County Records; thence along the Eastern boundary of said ADDITION (251), South 00°41'30" East, 1635.80 feet, to the Northeastern corner of the ROSE AVENUE SCHOOL ADDITION (176), as per description filed March 30, 1965, as Instrument 12390, Stanislaus County Records; thence along the boundary of said ADDITION (176), the following courses; South 00°41'30" East, 511.00 feet; North 89°59'50" East, 1290.46 feet, to a point on the Western boundary of the MORNINGSIDE HEIGHTS ADDITION (192), as per description filed June 14, 1966, as Instrument 21018, Stanislaus County Records; thence along the boundary of said ADDITION (192), the following courses, North 00°45'00" West, 661.80 feet; North 89°58'20" East, 3.50 feet; North 00°45'00" West, 1323.63 feet, to the Northwestern corner of said ADDITION (192), said point being also on the centerline of a 40 foot public road known as East Orangeburg Avenue; thence along the Northern boundary of said ADDITION (192), South 89°36'04" East, 1333.92 feet; thence leaving the existing City Limits, North 00°46'43" West, 1543.74 feet, to the Southern line of the M.I.D. Lateral No. 3 right-of-way; thence along said Southern line, North 82°18'00" West, 1009.36 feet; thence along a tangent curve concave to the South, having a Radius of 403.10 feet, a Central Angle of 35°14'00", and an Arc Length of 247.88 feet; thence along said right-of-way, South 62°28'00" West, 77.25 feet, to the Eastern boundary of the ROSE ACRES NO. 4 ADDITION (230); thence along said Eastern boundary, South 00°01'26" West, 268.35 feet, to the point of beginning, containing 147.423 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-362

A RESOLUTION DENYING THE APPEAL OF LOMBARD'S LAFAYETTE RADIO AND ELECTRONICS TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING A VARIANCE AND AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, an application for a variance from Sections 9-6.07 (i) and 10-2.907 (a) of the sign and zoning regulations of the Modesto Municipal Code, respectively, to allow retention of a projecting sign to advertise and identify the Lombard's Lafayette Radio and Electronics firm, in addition to a previously existing conforming free-standing sign, on property located on the northeast corner of McHenry and Corson Avenues was filed with the Board of Zoning Adjustment on March 1, 1973, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on March 22, 1973, at which time it found and determined by Resolution No. 474 that Lombard's Lafayette Radio and Electronics should be denied a variance for retention of a projecting sign to advertise and identify the Lombard's Radio and Electronics firm, in addition to a previously existing conforming free-standing sign, on property located at the northeast corner of McHenry and Corson Avenues for the following reasons:

1. There are no exceptional or extraordinary circumstances applicable to the property involved. The applicant erected the second sign without a building inspection permit and after being advised by the Building Inspection Division of the City of Modesto that it was not permitted.

2. Such variance is not necessary to the preservation and enjoyment of a substantial property right possessed by other property in the vicinity and zone and denied to the property in question. The applicant has not shown that other similar businesses are enjoying the privilege of erecting a second projecting or free-standing identification sign.

3. The granting of such variance would be materially detrimental to the public welfare or injurious to the property and improvements in the vicinity and zone in which the property is located as it would add to the sign cluster existing on McHenry Avenue as well as set a precedence for similar variances to be granted in the future.

and

WHEREAS, Best Neon Signs, on behalf of Lombard's Lafayette Radio and Electronics, appealed the denial of the requested variance to the City Council and requested a public hearing on said appeal, and

WHEREAS, a public hearing was scheduled before the City Council in the Council Chambers, 801 11th Street, Modesto, California, for May 7, 1973, at

4:10 o'clock p.m., as provided in Section 10-2.2012 of the Municipal Code, and

WHEREAS, said public hearing was held at the above time and place and evidence, both oral and documentary, was taken and introduced at said public hearing,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Best Neon Signs, on behalf of Lombard's Lafayette Radio and Electronics, to the decision of the Board of Zoning Adjustment denying a variance from Sections 9-6.07 (i) and 10-2.907 (a) of the sign and zoning regulations of the Modesto Municipal Code, respectively, to allow retention of a projecting sign to advertise and identify Lombard's Lafayette Radio and Electronics firm, in addition to a previously existing conforming free-standing sign, on property located on the northeast corner of McHenry and Corson Avenues, be and is hereby denied for the reasonsset forth in Board of Zoning Adjustment Resolution No. 474 and quoted above, and the decision of the Board of Zoning Adjustment be and is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

PROJECT NO. 73/08-10

MODESTO CITY COUNCIL
RESOLUTION NO. 73-363

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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, and

WHEREAS, the Council, did, on April 16, 1973, adopt its Resolution No. 73-310, 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, the Council did by said resolution, set the 7th day of May, 1973, at 4:15 P.M. o'clock 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, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 73-310, and

WHEREAS, at the time set for hearing the protests and objections, if any, 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 incorporporated 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 Resolution No. 73-310 and 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 7th day of May, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/08-10

(a) Sidewalk along Encina Ave. at 432 Camellia Way, Lot 18 of Block 2129. (Anthony Barse)

(b) Sidewalk along Encina Ave. at 1200 Encina Ave., Lot 18 of Block 2058 (Eldon W. Bauman)

(c) Sidewalk along Encina Ave. at 1322 Encina Ave., Lot 1 of Block 2059 (Nano Benjamin)

(d) Sidewalk along Encina Ave. at 504 Wilson Ave., the east 108.37 of Lot 1 of Block 2171. (William Bertie)

(e) Sidewalk along Encina Ave. at 417 N. Santa Ana Ave., a portion of Block 2028. (Annie Brannan)

(f) Sidewalk at 1211 Encina Ave., Lot 29 of Block 2169. (Arthur H. Gingrich)

(g) Sidewalk at 1223 Encina Ave., Lot 27 of Block 2169. (Daniel W. Hill)
(DROP FROM AGENDA - DOING OWN WORK)

(h) Sidewalk along Encina Ave. at 1203 Encina Ave., Lot 30 of Block 2169. (Harold D. Millerman)

(i) Sidewalk along Encina Ave. at 1550 Encina Ave., Lot 1 of Block 2129 (Jerold J. Pitts)
(Hearing continued to May 14, 1973 at 7:30 P.M.)

(j) Sidewalk along Encina Ave. at 818 Encina Ave., a portion of Block 2026 (Cleveland J. Stockton)

(k) Sidewalk at 1101 Encina Ave., Lot 12 of Block 2171. (C. E. Williams)
(DROP FROM AGENDA - DOING OWN WORK)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-364

A RESOLUTION TRANSFERRING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PREVIOUSLY ISSUED TO LOUIS V. SIMON TO OPERATE AN AMBULANCE SERVICE IN THE CITY OF MODESTO UNDER THE NAME OF MODESTO AMBULANCE COMPANY TO ELEVEN-41 INCORPORATED, DOING BUSINESS AS MODESTO AMBULANCE COMPANY.

WHEREAS, pursuant to the provisions of Chapter 8 of Title III of the Modesto Municipal Code Eleven-41 Incorporated, doing business as Modesto Ambulance Company, has filed an application for transfer of the permit previously issued to Louis V. Simon to operate an ambulance service in the City of Modesto under the name of Modesto Ambulance Service, and

WHEREAS, a public hearing was set for May 7, 1973, at 4:20 o'clock P. M. in the Council Chambers in the City Hall located at 801 11th Street, Modesto, to consider said application, and

WHEREAS, the public hearing on said application has been held at said time and place, and

WHEREAS, the City Manager has caused the Acting Chief of Police to make an investigation and report, in writing, to the City Council on said application,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines as follows:

1. That the public convenience and necessity requires the operation of the ambulance service for which application has been made for transfer of the permit previously issued to Louis V. Simon to Eleven-41 Incorporated, doing business as Modesto Ambulance Company, and such service will promote the convenience, safety and welfare of the general public.

2. That the vehicles described in the application and proposed to be used are appropriate for the purpose of carrying or transporting wounded, injured or sick persons.

3. That the color scheme, insignia, name, monogram or other distinguishing characteristics proposed to be used upon such ambulances are not in conflict with and do not imitate any color scheme, insignia, name, monogram or other distinguishing characteristics used by any other person, in such a manner as to mislead

or tend to mislead, deceive, or defraud the public.

4. That such ambulance service in the City is required by the public convenience and necessity and that the applicant is fit, willing and able to perform ambulance service and to conform to the provisions of Chapter 8 of Title III of the Modesto Municipal Code, and such rules and regulations as may be promulgated by the Council.

BE IT FURTHER RESOLVED that the Certificate of Public Convenience and Necessity previously issued to Louis V. Simon to operate an ambulance service in the City of Modesto under the name of Modesto Ambulance Company is hereby transferred to Eleven-41 Incorporated, doing business as Modesto Ambulance Company. A total number of three ambulances may be operated under said certificate.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby authorized to issue a permit to Eleven-41 Incorporated, doing business as Modesto Ambulance Company, for three ambulances authorized hereby after the applicant has complied with all of the requirements of Chapter 8 of Title III 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 7th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-365

A RESOLUTION TRANSFERRING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PREVIOUSLY ISSUED TO LOUIS V. SIMON TO OPERATE A LIMITED AMBULANCE SERVICE IN THE CITY OF MODESTO UNDER THE NAME OF MODESTO AMBULANCE COMPANY TO ELEVEN-41 INCORPORATED, DOING BUSINESS AS MODESTO AMBULANCE COMPANY.

WHEREAS, pursuant to the provisions of Chapter 9 of Title III of the Modesto Municipal Code Eleven-41 Incorporated, doing business as Modesto Ambulance Company, has filed an application for transfer of the permit previously issued to Louis V. Simon to operate a limited ambulance service in the City of Modesto under the name of Modesto Ambulance Service, and

WHEREAS, a public hearing was set for May 7, 1973, at 4:20 o'clock P. M. in the Council Chambers in the City Hall located at 801 11th Street, Modesto, to consider said application, and

WHEREAS, the public hearing on said application has been held at said time and place, and

WHEREAS, the City Manager has caused the Acting Chief of Police to make an investigation and report, in writing, to the City Council on said application,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines as follows:

1. That the public convenience and necessity requires the operation of the limited ambulance service for which application has been made for transfer of the permit previously issued to Louis V. Simon to Eleven-41 Incorporated, doing business as Modesto Ambulance Company, and such service will promote the convenience, safety and welfare of the general public.

2. That the vehicle described in the application and proposed to be used is appropriate for the purpose of carrying or transporting injured or sick persons.

3. That the color scheme, insignia, name, monogram or other distinguishing characteristics proposed to be used upon such limited ambulance are not in conflict with and do not imitate any color scheme, insignia, name, monogram or other distinguishing characteristics used by any other person, in such a manner as to

mislead or tend to mislead, deceive, or defraud the public.

4. That such limited ambulance service in the City is required by the public convenience and necessity and that the applicant is fit, willing and able to perform limited ambulance service and to conform to the provisions of Chapter 9 of Title III of the Modesto Municipal Code, and such rules and regulations as may be promulgated by the Council.

BE IT FURTHER RESOLVED that the Certificate of Public Convenience and Necessity previously issued to Louis V. Simon to operate a limited ambulance service in the City of Modesto under the name of Modesto Ambulance Company is hereby transferred to Eleven-41 Incorporated, doing business as Modesto Ambulance Company. A total number of one limited ambulance may be operated under said certificate.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby authorized to issue a permit to Eleven-41 Incorporated, doing business as Modesto Ambulance Company, for one limited ambulance authorized hereby after the applicant has complied with all of the requirements of Chapter 9 of Title III 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 7th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-366

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO AFFILIATED CHURCH HOUSING CORPORATION FOR DEVELOPMENT OF CITY PARK ADJACENT TO RALSTON TOWERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Affiliated Church Housing Corporation for development of City Park adjacent to Ralston Towers,

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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-367

A RESOLUTION CONSENTING TO THE TERMINATION OF THE AGREEMENT BETWEEN THE CITY OF MODESTO AND SEARS ROEBUCK AND COMPANY FOR OPERATION OF A PARKING LOT ON LOTS 1 THROUGH 12, INCLUSIVE IN BLOCK 66, LOCATED ON ELEVENTH STREET BETWEEN K AND L STREETS IN THE CITY OF MODESTO.

WHEREAS, the City of Modesto, a municipal corporation of the State of California, and Sears Roebuck and Company, a New York corporation, entered into an agreement on August 28, 1972, whereby the City agreed to operate a parking lot as an attendant parking lot on Lots 1 through 12, inclusive, in Block 66, located on Eleventh Street between K and L Streets, for the purpose of off-street parking facilities, and

WHEREAS, Sears Roebuck and Company has by a letter dated May 7, 1973, notified the City that it desires to terminate the above-mentioned agreement and has requested that the City waive the 30-day prior written notice which is required in Paragraph No. 8 of said agreement, a copy of which agreement is on file in the office of the City Clerk, and

WHEREAS, City ceased operation of said attendant parking lot, at the request of Sears Roebuck and Company, as of March 31, 1973, and is agreeable to the termination of said agreement as requested by Sears Roebuck and Company,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City Modesto that it hereby consents to termination of the agreement dated August 28, 1972, entered into between the City and Sears Roebuck and Company for the operation of an attendant parking lot on Lots 1 through 12, inclusive, in Block 66, located on Eleventh Street between K and L Streets in the City of Modesto, for the purpose of off-street parking facilities.

BE IT FURTHER RESOLVED that the Council hereby waives the requirement contained in Paragraph 8 of the above-mentioned agreement which requires that Sears Roebuck and Company give City a 30-day prior written notice to terminate said agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution

adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 368

A RESOLUTION CONTINUING THE PETTY CASH ACCOUNT IN THE PARKING FUND ACCOUNT FOR PURPOSES OF MAKING CHANGE ON OFF-STREET PARKING LOTS WHICH ARE ATTENDANT OPERATED AND SUPERSEDING RESOLUTION NO. 72-1071.

WHEREAS, Resolution No. 72-1071 established a Petty Cash Account in the Parking Fund Account in the amount of Seventy and no/100ths ($70.00) Dollars for the purpose of making change on three (3) off-street parking lots which are attendant operated and to provide money to be kept in the office of the Parking and Traffic Department in order to make full rolls out of the loose coins when the revenue from the validated lots is counted each morning, and

WHEREAS, one of the three (3) attendant operated off-street parking lots in the City of Modesto has been closed, and

WHEREAS, the revenue from the validated lots is no longer counted at City Hall each morning but is deposited directly in the bank, and

WHEREAS, because of said reduction in the number of attendant operated off-street parking lots and the discontinuance of counting revenue from the validated lots at City Hall each morning, it is necessary to decrease the amount of money to be maintained in the Petty Cash Account in the Parking Fund Account,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Petty Cash Account in the Parking Fund Account be continued and that the amount to be maintained therein be decreased to the sum of Twenty and no/100ths ($20.00) Dollars, for the purpose of providing money to make change on the two (2) 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. 72-1071 adopted by the Council on October 10, 1972.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-369

A RESOLUTION ESTABLISHING A RECONNECTION CHARGE FOR SEWER SERVICE.

WHEREAS, Section 5-6.15 of the Modesto Municipal Code provides that in cases where bills for sewer service shall become delinquent, the Director of Public Works may disconnect the premises from the sewage system, and

WHEREAS, Section 5-6.15 of the Modesto Municipal Code further provides that the City Council may establish charges for reconnection of premises to the sewage system by resolution duly adopted by the Council,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto, in accordance with the authority contained in Section 5-6.15 of the Modesto Municipal Code, hereby establishes a charge of Fifty and no/100ths ($50.00) Dollars for reconnection of any premises to the sewage system which have been disconnected from said sewage system because of the failure of any user to pay any sewer service charge prior to delinquency thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-370

A RESOLUTION APPROVING AMENDMENT TO ANNUAL TRANSPORTATION CLAIM AND AUTHORIZING SUBMISSION TO STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (SAAG)

WHEREAS, the City of Modesto by Resolution No. 73-237 adopted by the Council of the City of Modesto on March 19, 1973 approved the submission of the annual transportation claim to Stanislaus Area Association of Governments (SAAG); and

WHEREAS, the Director of Public Works in a memorandum dated April 30, 1973, has recommended that the annual Transportation claim be amended as follows:

1.	Bus System	(Delete)
2.	Bicycle Path Right of Way	$25,000
3.	El Vista Street Project	$149,000
4.	Briggsmore Project	$178,700

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that amendment to the annual transportation claim as recommended by the Director of Public Works is approved, and submission of the claim to Stanislaus Area Association of Governments (SAAG) hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-371

A RESOLUTION SETTING TIME AND PLACE FOR HEARING PRESENTATION OF 1973-74 PRELIMINARY BUDGET AND SIX-YEAR CAPITAL IMPROVEMENT PROGRAM, 1973-74 THROUGH 1978-79

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 11, 1973, at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of presentation of 1973-74 Preliminary Budget and Six-year Capital Improvement Program, 1973-74 through 1978-79.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-372

AN AMENDMENT TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND JUNIOR WOMEN'S CLUB OF MODESTO FOR CONSTRUCTION OF "SAFETY TOWN" IN THE TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to the/agreement between the City of Modesto and Junior Women's Club of Modesto for construction of "Safety Town" in the Tuolumne River Regional Park be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amendment to the/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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-373

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CORM, INC. TO PROVIDE SEWER AND WATER SERVICE TO SPRINGCREEK NO. 1 SUBDIVISION OUTSIDE THE CITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and CORM, INC.

for sewer and water service to Springcreek No. 1 Subdivision outside the City

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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-374
DESIGN

A RESOLUTION SETTING TIME AND PLACE FOR/HEARING FOR NEEDHAM STREET AND KANSAS AVENUE CONNECTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 11, 1973 , at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of Design hearing for Needham Street and Kansas Avenue Connection.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May , 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-375

A RESOLUTION AUTHORIZING APPLICATION TO THE PUBLIC UTILITIES COMMISSION FOR AUTHORITY TO CONSTRUCT THE MORRIS AVENUE CROSSING OF TIDEWATER SOUTHERN RAILWAY COMPANY

WHEREAS, the City of Modesto, a municipal corporation of the State of California, and Tidewater Southern Railway Company, a corporation, entered into an agreement dated April 16, 1973, relative to the proposed reconstruction of a bridge over Modesto Irrigation District Lateral No. 4 to improve the intersection of Virginia Avenue and West Morris Avenue near railroad tracks; and

WHEREAS, agreement was reached between the City of Modesto and Tidewater Southern Railway Co. in the minor relocation of the grade crossing of Morris Avenue and the tracks of Railroad, more particularly identified by the Public Utilities Commission of the State of California as Crossing No. 75-28.1; and

WHEREAS, approval of the Public Utilities Commission of the State of California is required for authority to construct the Morris Avenue crossing of Tidewater Southern Railway Company.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that application to the Public Utilities Commission for authority to construct the Morris Avenue crossing of Tidewater Southern Railway Company is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-376

A RESOLUTION APPROVING REQUEST FOR AID UNDER THE AIRPORT AND AIRWAY DEVELOPMENT ACT OF 1970 (PL 91-258)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Request for Aid under the Airport and Airways Development Act of 1970 in amount of $2,149 for cost of acquisition of land for an ILS Outer Marker Site at the Modesto City-County Airport is hereby approved.

BE IT FURTHER RESOLVED that execution of said Request for Aid along with all other necessary documents is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-377

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT C. AND MELBA W. WILLIAMS FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1901 CROWS LANDING ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert C. and Melba W. Willaims for sewer service to property outside the City at 1901 Crows Landing 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 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-378

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MARGUERITE N. VAN ALFEN FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1506 LORRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Marguerite N. Van Alfen

for sewer service to property outside the City at 1506 Lorry Ave.

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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-379

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LUPE AND MANUELA HERNANDEZ FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 801 LOMBARDO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lupe and Manuela Hernandez

for sewer service to property outside the City at 801 Lombardo

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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-380

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LUPE G. AND MANUELA R. HERNANDEZ FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 804 LOMBARDO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lupe G. and Manuela R. Hernandez for sewer service to property outside the City at 804 Lombardo

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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-381

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DIVISION OF HIGHWAYS, DEPARTMENT OF PUBLIC WORKS, FOR FEDERAL AID URBAN SYSTEM PROJECTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and State of California, Division of Highways, Department of Public Works for Federal Aid Urban System Projects (Construction of Scenic Drive from Downey Ave. to the County Hospital) 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 May, 19 73 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynowetm
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-382

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD W. LLOYD, JR. FOR RIGHT OF WAY ACQUISITION SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Donald W. Lloyd, Jr.
for right of way acquisition services ($75.00 per 8-hour day plus expenses)
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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-383

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ERNEST W. HAHN, INC. RE $1,000,000 DONATION FOR HIGHWAY 99 CONSTRUCTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ernest W. Hahn, Inc.

~~for~~ re $1,000,000 donation for Highway 99 construction (Hahn Co. to give City $1,000,000 - City holds money and gives it to the State if the State agrees to build the freeway. If State doesn't agree to build the freeway, the money is returned to Hahn with interest it earned) 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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Newton, Simon, Mayor Davies
NOES:	Councilmen:	Mensinger
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-384

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, REGARDING ADVANCED CONSTRUCTION OF ROUTE 99 FROM ROUTE 132 TO 0.3 MILES SOUTH OF PELANDALE, INCLUDING BECKWITH AND CARPENTER-BRIGGSMORE INTERCHANGES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and State of California, Department of Public Works, Division of Highways, regarding the City of Modesto donating $1,000,000 for the advanced construction in 1974-75 fiscal year, Route 99 from Route 132 to 0.3 mile south of Pelandale, including Beckwith and Carpenter-Briggsmore Interchanges, be and it is hereby approved.

BE IT FURTHER RESOLVED that 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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Newton, Simon, Mayor Davies

NOES: Councilmen: Mensinger

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-385

A RESOLUTION APPROVING THE FINAL MAP OF THE FLINTRIDGE ESTATES NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Flintridge Development

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 11.595 acres, known as the Flintridge Estates No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 1st day of August, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Flintridge Estates No. 1 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 of the Flintridge Estates No. 1 Subdivision 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 in the amount of Two Thousand, Seven Hundred Eighty-One and 10/100ths ($2,781.10) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-386

A RESOLUTION SETTING TIME AND PLACE FOR HEARING THE PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 2 OF TITLE X OF THE MUNICIPAL CODE (Zoning Regulations relating to the one-year time limitation for re-application for zone boundary changes and unclassified use permits)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 21, 1973 , at 4:06 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 Planning Commission's recommendation to amend Chapter 2 of Title X of the Municipal Code (Zoning Regulations relating to the one-year time limitation for reapplication for zone boundary changes and unclassified use permits)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May , 1973 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-387

A RESOLUTION ANNEXING UNINHABITED TERRITORY KNOWN AS THE CLAREMONT NO. 4 ADDITION TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on April 20, 1973, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as CLAREMONT NO. 4 Addition,

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

That the annexation of said uninhabited territory designated as CLAREMONT NO. 4 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto

be and the same is hereby approved and said property be and the same is hereby subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved, is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. Hill
Public Works Department

R. Hill 5-7-73

March 7, 1973

CLAREMONT NO. 4 ADDITION

All that real property in the State of California, County of Stanislaus, in 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 the Northwestern corner of the CLAREMONT NO. 3 ADDITION (278), as per description filed November 4, 1971, as Instrument 42166, Stanislaus County Records, and a Southwestern corner of the SYLVAN-COFFEE NO. 1 ADDITION (242), as per description filed October 9, 1969, as Instrument 33952, Stanislaus County Records, said point being also the intersection of a North-South quarter quarter section line and the East-West quarter section line of Section 9, said quarter section line being also the center line of a public road known as Sylvan Avenue; thence leaving the existing City Limits, and along said quarter section line, North 89° 17' 00" West, 509.50 feet to a Northeastern corner of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (275) the following courses; South 00° 45' 00" East, 435.00 feet; South 89° 15' 00" West, 17.00 feet; South 00° 45' 00" East, 101.00 feet; North 88° 00' 00" East, 276.31 feet; North 00° 44' 25" West, 14.98 feet; North 89° 15' 35" East, 250.00 feet, to a point on the CLAREMONT NO. 3 ADDITION (278); thence along the boundary of said ADDITION (278) North 00° 44' 25" West, 501.99 feet, to the point of beginning, containing 6.090 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-388

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS BECKWITH NO. 1 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one-fourth (1/4) of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus was filed with the Council of the City of Modesto on May 3, 1973, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as BECKWITH NO. 1 Addition, and described as attached hereto and made a part hereof as though set forth in full herein.

3. That the matter of the proposed annexation to the City of Modesto of said territory has been referred to the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission did on May 2, 1973, approve the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code.

4. That no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 18th day of June, 1973, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the

owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and shall also cause a copy of this resolution to be published in the Ceres Courier, being a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. 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 7th day of May, 1973,

by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R C Maxwell
Public Works Department

RAH 5-4-73

March 15, 1973

Corrected April 18, 1973
Revised May 3, 1973 as per
Local Agency Formation Committee

BECKWITH NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in Sections 2, 3, 10, 11, 12, 13, and 14, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a point on the Northern boundary of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records, said point being South 89°34'17" West, 674.00 feet from the point of intersection with the Western line of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (255), the following courses; South 89°34'17" West, 285.82 feet; thence South 47°33'17" West, 798.57 feet; thence South 25°53'47" West, 170.00 feet; thence South 47°09'32" West, 653.84 feet; thence South 47°09'32" West, 110.00 feet, to a point on the Southwestern line of State Highway 99; thence South 43°07' 01" East, 1171.56 feet; thence South 43°08'31" East, 1975.91 feet; thence leaving the existing City Limits, South 00°22'01" East, 147.25 feet, to a point on the Southwestern line of the Southern Pacific Railroad right of way; thence along the Southwestern line of said right of way, North 43°08'31" West, 2084.02 feet; thence continuing along said Southwestern line, North 43°07'01" West, 12,441.65 feet, to the intersection of the centerline of a 40 foot public road known as Pelendale Avenue; thence along the centerline of Pelendale Avenue, South 89°57'57" East, 2008.70 feet, to the intersection of the section line common to Section 2 and Section 3; thence continuing along the centerline of Pelendale Avenue, North 89°57'00" East, 1653.57 feet to a point on the Northerly extension of the Eastern line of the parcel belonging to Laurence B. Martin, as per survey filed September 18, 1971, in Volume 12 of Record of Surveys, at Page 78, Stanislaus County Records; thence along the Northerly extension and the Eastern property line of said Martin property, South 00°15'30" West 1328.84 feet, to a point on the section line common to Section 2 and Section 11; thence along said section line, North 89°52'45" East, 987.62 feet to the quarter section corner; thence along the North-South quarter section line of Section 11, South 00°00'03" East, 662.16 feet, to a point on the Southern line of the parcel conveyed to Frank and Johanna Marie Peter, as per deed filed March 6, 1969, in Volume 2263 at Page 671, as Instrument 7706, Stanislaus County Records; thence along the Southern line of said parcel, North 89°52'45" East, 2640.62 feet, to the centerline of a 50 foot public road known as Dale Road, said centerline also being the section line common to Section 11 and Section 12; thence along said centerline, South 00°00'03" East, 993.25 feet, to a point on the Westerly extension of the Northern line of the parcel belonging to D. G. Beachler et. ux., as per Survey filed August 24, 1962, in Volume 9 of Record of Surveys, at Page 32, Stanislaus County Records; thence along said extension and the Northern line of said parcel, South 89°36'27" East, 894.27 feet; thence along the Eastern line of said parcel, South 0°00'03" East, 993.01 feet, to the centerline of a 40 foot public road known as Standiford Avenue, also being the East-West quarter section line of Section 12; thence along said centerline of Standiford Avenue, South 89°35'37" West, 894.27 feet, to the centerline of Dale Road; thence along the cneterline of Dale Road, South 00°00'03" East, 2628.14 feet, to the intersection of the centerline of a 40 foot public road known as Rumble Road; thence along the centerline of Rumble Road, North 89°34'17" East, 2001.38 feet; thence, South 0°04'43" East, 350.00 feet, to the point of beginning, containing 572.923 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-389

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS BECKWITH NO. 2 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one-fourth (1/4) of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus was filed with the Council of the City of Modesto on May 2, 1973, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as BECKWITH NO. 2 Addition, and described as attached hereto and made a part hereof as though set forth in full herein.

3. That the matter of the proposed annexation to the City of Modesto of said territory has been referred to the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission did on May 2, 1973, approve the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code.

4. That no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 18th day of June, 1973, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the

owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and shall also cause a copy of this resolution to be published in the Ceres Courier, being a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. 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 7th day of May, 1973,

by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R C Mongrell
Public Works Department

R Hill 5-4-73

BECKWITH NO. 2 ADDITION

March 15, 1973
Corrected March 22, 1973

All that real property in the State of California, County of Stanislaus, being a portion of Sections 12 and 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records, said point also being the intersection of the center line of a 40 foot public road known as Conant Avenue and the center line of a 40 foot public road known as West Rumble Road; thence along the existing City Limits and the boundary of said ADDITION (231), South 0° 04'43" East, 350.00 feet, to the Northeastern corner of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records; thence continuing along the existing City Limits and the boundary of said ADDITION (255), South 89°34'17" West, 674.00 feet; thence leaving the existing City Limits, North 0°04'43" West, 350.00 feet, to the center line of West Rumble Road; thence along said center line, South 89°34'17" West, 2001.38 feet, to the intersection of the center line of a public road known as Dale Road; thence along the center line of Dale Road, said center line also being the section line common to Sections 11 and 12, North 0°00'03" West, 2628.14 feet, to the intersection of the center line of a 40 foot public road known as Standiford Avenue; thence along the center line of Standiford Avenue, North 89°35'37" East, 1326.88 feet, to the Northwestern corner of the CONANT NO. 1 ADDITION (294), as per description filed July 27, 1972, as Instrument 3721, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (294), the following courses, South 00°01'08" East, 1375.08 feet; North 86° 07'07" East, 1350.31 feet; South 0°02'09" East, 1333.86 feet, to the point of beginning, containing 125.489 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-390

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $5,000 TO PROVIDE ADDITIONAL FUNDS NEEDED TO COMPLETE THE FINAL PORTION OF THE ILS (INSTRUMENT LANDING SYSTEM) NOW INSTALLED AT THE AIRPORT

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

AIRPORT FUND (230)

FROM:	General Reserve (60-46-230)	$5,000.00
TO:	ILS Grading System (6489-46-230)	$5,000.00

(Additional funds are needed to complete the final portion of the ILS now installed at the Airport. A complete approach lighting system, not included in the original project, is now going to be installed to augment our present approach lights)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-391

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $810 TO PROVIDE FUNDS NEEDED FOR UTILITIES AT HEAD REST CENTER WHICH HAVE EXCEEDED ORIGINAL ESTIMATE

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

HEAD REST FUND (222)

FROM:	General Reserve (60-222)	$810.00
TO:	UTilities (210-11-222)	$810.00

(In developing the grant, we originally estimated utilities would cost approximately $100 a month; however, we have found that they have averaged approximately $180 a month since October. This is due to the cold weather as well as the increased utilization of the building presently occupied by Head Rest. There are sufficient funds within the grant category to cover the additional expenses; an appropriation transfer, however, from the General Reserve will be necessary to cover it on the basis of the City fiscal year)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-392

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $13,592 TO PROVIDE FUNDS FOR THE ACCELERATED PURCHASE OF EQUIPMENT REQUESTED IN THE 1973-74 BUDGET

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Regular (110-22-101)	$13,592.00
TO:	Portable Radio (4) (5400-22-101)	4,486.00
	Video-Tape Recorder Equipment (5400-22-101)	2,731.00
	Tool, Shop, Field Supplies (308-22-101)	577.00
	Typewriter, electric (2) (5500-22-101)	860.00
	Carpeting (5200-22-101)	782.00
	Desk Set-Radio (2) (5400-22-101)	875.00
	Time Recorder (2) (5500-22-101)	651.00
	Rifles (3) (5400-22-101)	322.00
	Tool, Shop, Field Supplies (308-22-101)	294.00
	Vacuum Cleaner (5500-22-101)	237.00
	Chair, posture (5500-22-101)	86.00
	Tool, Shop, Field Supplies (308-22-101)	514.00
	M & R, Equipment Other (223-22-101)	285.00
	Communications (204-22-101)	313.00
	Cabinet, microfilm (5500-22-101)	579.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynowath
W. T. CHYNOWATH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-393

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $23,000 TO PROVIDE FUNDS NEEDED TO COVER ENGINEERING, LEGAL AND INSPECTION COSTS ON IMPROVEMENT DISTRICT NO. 21

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

SEWER SERVICE FUND (212)

FROM:	General Reserve (60-212)	$23,000
TO:	Improvement District No. 21 (6594-212)	$23,000

(Funds are needed to cover engineering, legal and inspection costs on Improvement District No. 21. See memo from the Director of Public Works to City Manager dated April 26, 1973)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-394

A RESOLUTION APPROVING APPOINTMENTS TO COUNCIL COMMITTEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Councilmen are hereby appointed to the following designated committees:

Comprehensive Health Planning Council of Stanislaus County	Mensinger Kullijian, Alt.
Economic Development Action Committee	Simon
City-County Police Services Study Committee	Davies Simon
Stanislaus County Highway Advisory Committee	Newton Simon, Alt.
Department Heads Salary Review Committee	Elliott Mensinger
City-County Committee	Elliott Newton
Tuolumne River Regional Park Plan Committee	Dunlap Newton
Public Projects Committee	Dunlap, Chmn. Elliott Kullijian
Chamber of Commerce Board of Directors Liaison	Simon
Council-Supervisors Liaison Committee (Modesto & County only)	Davies Kullijian
Executive Committee of the Central Valley Division of the League of Calif. Cities	Newton Elliott, Alt.
Stanislaus Area Association of Governments	Simon Mensinger Dunlap, Alt. Kullijian, Alt.
Sister City Committee Liaison	Dunlap Mensinger, Alt.
Governor's Council on Aging Liaison	Kullijian Newton
California Council on Criminal Justice	Mensinger
Local Agency Formation Commission	Simon

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call

carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-395

A RESOLUTION APPOINTING COUNCILMAN DUNLAP AS A TEMPORARY MEMBER OF THE MAYOR'S SELECTION COMMITTEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Dunlap is hereby appointed as a temporary member of the Mayor's Selection Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-396

A RESOLUTION APPROVING MAYOR'S CHARGE TO PUBLIC PROJECTS COMMITTEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Mayor's Charge to Public Projects Committee (Exhibit "A" attached) to take as the first order of business a study of all facets of urban growth 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 7th day of May, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

Public Projects Committee
May 7, 1973

SEARCH FOR A BETTER ENVIRONMENT

CHARGE:

THE CITIZENS OF MODESTO HAVE INDICATED THAT THEY ARE NOT IN FAVOR OF A "NO GROWTH" ORDINANCE FOR THIS CITY. NEVERTHELESS, THERE IS GROWING CONCERN THAT THE QUALITY OF LIFE AND OUR FERTILE FARM LANDS MAY BE ENDANGERED UNLESS MORE POSITIVE STEPS ARE TAKEN.

THE PUBLIC PROJECTS COMMITTEE IS CHALLENGED TO MEET THIS CONCERN BY ACCEPTING AS ITS FIRST ORDER OF BUSINESS THE STUDY OF ALL FACETS OF URBAN GROWTH, ITS EFFECT UPON THE QUALITY OF LIFE AND THE SURROUNDING FARM LANDS, AND BRING BACK TO THIS COUNCIL A BLUEPRINT THAT CONTAINS THE NECESSARY CRITERIA FOR DETERMINING PRIORITIES FOR LAND USE -- A BLUEPRINT TO PROTECT OUR COMMUNITY AND OUR LAND FROM INDISTRIMINATE DEVELOPMENT. SUCH A BLUEPRINT MUST NECESSARILY TAKE INTO ACCOUNT THE ECONOMIC WELFARE OF ALL OF OUR CITIZENS.

LEST THERE BE ANY MISUNDERSTANDING, A REWRITING OF MEASURE A TO MAKE IT WORKABLE IS NOT INTENDED AS YOUR OBJECTIVE. A MORE COMPREHENSIVE APPROACH TO OUR PROBLEMS IS REQUIRED.

YOUR OBJECTIVE SHOULD INCLUDE A STRONG DESIRE TO KEEP THIS COMMUNITY THE GRAND CITY IT IS, AND TO MAKE IT THE EVEN GRANDER CITY IT CAN BE.

YOUR COMMITTEE MUST BE CONSCIOUS OF THE NEED TO KEEP OUR ECONOMY HEALTHY SO THAT ALL OF OUR CITIZENS MAY HAVE THE OPPORTUNITY TO EARN AND ENJOY A GOOD LIVING FOR THEMSELVES AND THEIR FAMILIES.

THE PRESERVATION OF OUR FERTILE FARMLAND SHOULD BE OF PRIMARY CONCERN. TO THIS END, YOU SHOULD REVIEW BOTH CITY AND COUNTY GENERAL PLANS, ZONING POLICIES INCLUDING BETTER FRINGE AREA ZONING, THE

ENVIRONMENTAL RESOURCES MANAGEMENT ELEMENT, THE SEWER SERVICE EXTENSION POLICY, AND ANY OTHER ASPECT OF THIS PROBLEM THAT YOUR INGENUITY DICTATES.

YOU WILL UNDOUBTEDLY WANT TO COMMUNICATE WITH AND VISIT OTHER COMMUNITIES WITH SIMILAR PROBLEMS TO LEARN OF THEIR SUCCESSES OR FAILURES.

YOU WILL NEED TO HOLD PUBLIC HEARINGS TO GET CITIZEN INPUT.

THESE SUGGESTIONS OF CERTAIN AREAS OF STUDY ARE NOT MEANT TO LIMIT YOUR FIELD OF INQUIRY, BUT TO GIVE YOU DIRECTION IN APPROACHING YOUR TASK. YOU SHOULD START WITH NO PRECONCEIVED CONVICTIONS, AND YOU SHOULD TAKE AS MUCH TIME AS IS NEEDED.

UPON COMPLETION OF YOUR WORK, IT IS EXPECTED THAT YOU WILL BRING BACK TO THIS COUNCIL A PRACTICAL AND WORKABLE PROGRAM FOR BETTER USE OF OUR LAND AND A BETTER LIVING ENVIRONMENT FOR ALL.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-397

A RESOLUTION ELECTING COUNCILMAN RAYMOND C. SIMON AS MAYOR PRO TEM UNTIL SUCH TIME AS MAYOR DAVIES IS BACK IN THE CITY OR A VICE MAYOR HAS BEEN ELECTED

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Raymond C. Simon is hereby elected as mayor pro tem until such time as Mayor Davies is back in the City or a Vice Mayor has been elected.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 9th day of May, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Newton, Kullijian, Simon

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Mensinger, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-398

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF GOLDEN WEST SAVINGS TO APPEAL THE BOARD OF ZONING ADJUSTMENT'S DENIAL FOR CONDITIONAL USE PERMIT FOR FREE-STANDING SIGN AT 2509 McHENRY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 4, 1973, 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 request of Golden West Savings to appeal the Board of Zoning Adjustment's denial for conditional use permit for free-standing sign at 2509 McHenry.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-399

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF ROGER C. RULE, GENERAL CONTRACTOR, FOR PERMISSION TO USE EXPOSED AGGREGATE FOR A PUBLIC SIDEWALK AT SITE OF CONTINENTAL LEASING, 1500 McHENRY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 29, 1973, 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 request of Roger C. Rule, General Contractor, for permission to use exposed aggregate for a public sidewalk at site of Continental Leasing, 1500 McHenry.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-400

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR autOMOTIVE EQUIPMENT (ONE GARDEN REFUSE TRUCK)

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

SECTION 1. The plans and specifications for automotive equipment (one garden refuse 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 June 5, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-401

A RESOLUTION APPROVING SUBSTITUTION OF GLAZING SUBCONTRACTOR FOR SERVICE YARD EXPANSION PROJECT.

WHEREAS, a bid for the service yard expansion project was awarded to Matteson Construction Co. by Resolution No. 73-189 adopted by the Modesto City Council on March 5, 1973; and

WHEREAS, Matteson Construction Co. in a letter dated May 2, 1973 has requested that it be permitted to enter into a contract with Acme Glass as subcontractor for the glazing work as a substitution for National Auto Glass Company; and

WHEREAS, the Assistant Director of Public Works has recommended that the substitution be approved as requested.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the substitution of Acme Glass Company as glazing subcontractor for the service yard expansion project, replacing National Auto Glass Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-402

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF A CUL-DE-SAC AT THE NORTH END OF TIMOTHY AVENUE

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

SECTION 1. The plans and specifications for construction of a Cul-de-sac at the north end of Timothy 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 May 29, 1973 at 10:15 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-403

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF ARBOR AT MARSHALL PARK

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

SECTION 1. The plans and specifications for construction of Arbor at Marshall 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 29, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-404

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF STAGE AT SENIOR CITIZENS CENTER

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

SECTION 1. The plans and specifications for construction of stage at Senior Citizen's Center

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 29, 1973 at 10:20 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-405

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN DALE ROAD, NORTHRIDGE NO. 1, SMOKE TREE NO. 1 AND APPLEGATE NO. 4 SUBDIVISIONS

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

SECTION 1. The plans and specifications for installation of waterlines in Dale Road, Northridge No. 1, Smoke Tree No. 1 and Applegate No. 4 Subdivisions 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 29, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-406

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SAVINGS ACCOUNT WITH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF FRESNO FOR THE CITY OF MODESTO'S DEFERRED COMPENSATION PLAN.

WHEREAS, Resolution No. 72-800 adopted by the Council of the City of Modesto on June 26, 1972, established a Deferred Compensation Plan for the employees of the City of Modesto, and

WHEREAS, the Deferred Compensation Agreements entered into by and between the City of Modesto and some of its employees who have elected to participate in the Plan provide for the monies deferred by said employees to be invested in a savings account to be established with a savings and loan association, and

WHEREAS, it is deemed desirable to establish such a savings account with the First Federal Savings and Loan Association of Fresno,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the establishment of a savings account with First Federal Savings and Loan Association of Fresno for the investment of monies deferred by employees pursuant to the City of Modesto's Deferred Compensation Plan and as authorized by Section 53609 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 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-407

A RESOLUTION AUTHORIZING THE CITY MANAGER TO GIVE FIFTEEN DAYS' NOTICE OF TERMINATION OF LEASE AGREEMENT TO ELVIN BRUSH, DOING BUSINESS AS MODESTO FLYING SERVICE, AT THE MODESTO CITY-COUNTY AIRPORT.

WHEREAS, on October 24, 1972, the City entered into a fixed-base operator lease agreement with Elvin W. Brush, individually and doing business as Modesto Flying Service, whereby the City leased to Elvin W. Brush certain premises at the Modesto City-County Airport, and

WHEREAS, said lease agreement was for a term commencing on October 1, 1972, and expiring on June 30, 1973, except that the term of the lease is automatically renewed for additional periods of one year each, unless a notice of non-renewal is given by either party, and

WHEREAS, Paragraph C. 19 of said above-mentioned lease agreement provides that City shall have the right to terminate said lease for the reasons set forth in said Paragraph C. 19, and

WHEREAS, Elvin W. Brush, doing business as Modesto Flying Service, has failed to comply with all of the terms and conditions of said lease agreement, and

WHEREAS, the Council desires to authorize the City Manager of the City of Modesto to give Elvin W. Brush, doing business as Modesto Flying Service, the required notices, warnings or ultimatums required by said lease agreement to correct any failure, deficiency or default, and should he fail to correct any such failure, deficiency or default, to terminate said lease, all as provided therein,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager is hereby authorized to give any notices, warnings or ultimatums required by that certain lease agreement entered into on October 24, 1972, with Elvin W. Brush, individually and doing business as Modesto Flying Service, to correct any failure, deficiency or default of said Elvin W. Brush, individually and doing business as Modesto Flying Service, now existing, or that may occur in the future, to pay rent when due or to perform substantially or keep or observe any of the terms, covenants and conditions of said lease agreement, and should he fail to correct any such failure, deficiency or default, to terminate said lease agreement, all as provided therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-407-A

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 29, 1973, at 7:35 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 attached 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 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

a. Sidewalk along Miller Av at 2102 Miller Av, Lot 9 of Block 2263. (James E. Howard - $241.00)

b. Sidewalk at 209 Oakshire Av, Lot 11 of Block 2261. (Gilbert L. McBroom - $187.00)

c. Sidewalk at 2015 Miller Av, Lot 15 of Block 2225. SARAH R. ULYAK - $273.00)

PROJECT NO. 73/10-09

MODESTO CITY COUNCIL
RESOLUTION NO. 73-408

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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 improvements described in the notices which are attached hereto and incorporated by reference herein.

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 4th day of June, 1973, at 4:05 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 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/10-09

(a) Sidewalk along Sherwood Avenue at 1535 Sherwood Ave., Lot 10 of Block 6128. (Roy A. Amundson)

(b) Sidewalk along Sycamore Avenue and Griswold Ave. at 819 Sycamore Ave., a portion of Block 711. (Frank Buffa)

(c) Sidewalk at 710 Sycamore Ave., the north 70' of Lot 45, Block 709. (Darlene Fugitt)

(d) Sidewalk along Sherwood Ave. at 1525 Sherwood Ave., Lot 9 of Block 6127. (Alfredo K. Graza)

(e) Sidewalk at 711 Sycamore Ave., the south 59.64' of Lot 39 of Block 711. (Jack E. Goodwin)

(f) Sidewalk at 807 Sycamore Ave., a portion of Block 711. (Jack E. McCoy)

(g) Sidewalk at 715 Sycamore Ave., the north 105.5' of Lot 39, Block 711. (Elaine K. McIlree)

(h) Sidewalk at 808 Sycamore Ave., the north 55' of Lot 37 of Block 709. (Sybol J. Munson)

(i) Sidewalk along Sherwood Ave. and W. Orangeburg Ave. at 421 W. Orangeburg Ave., Lot 10 of Block 6063. (Mary Olarrea)

(j) Sidewalk along Sycamore Ave. at 820 Sycamore Ave., a portion of Block 709. (Mary R. Palmer)

(k) Sidewalk at 815 Sycamore Ave., a portion of Block 711. (Josephine Ruffino)

(l) Sidewalk at 431 Virginia Ave., Lot 1 & 2 of Block 453. (Valerio Rodoni)

(m) Sidewalk at 714 Sycamore Ave., a portion of Block 709. (Lee Schrencongost)

(n) Sidewalk at 801 Sycamore Ave., the south 82.5' of Lot 38 of Block 711. (Robert L. Sharyon)

(o) Sidewalk at 804 Sycamore Ave., a portion of Block 709. (Michael H. Smith)

(p) Sidewalk along Sherwood Ave. at 1545 Sherwood Ave., Lot 9 of Block 6128. (Richard T. Tosaw)

(q) Sidewalk at 712 Sycamore Ave., the south 55' of Lot 40 of Block 709. (Jessie V. Trueblood)

(r) Sidewalk at 720 Sycamore Ave., the south 55' of Lot 37 of Block 709. (Walter A. Willaims, Jr.)

(s) Sidewalk at 802 Virginia Ave., the south 60' of Lot 55 of Block 717. (David H. Wilson)

(t) Sidewalk at 439-41 W. Orangeburg Ave., Lot 13 of Block 6063. (Mary Elizabeth Balles)

(u) Sidewalk at 513-15 W. Orangeburg Ave., Lot 17 of Block 6063. (Philip M. Fearnside)

(v) Sidewalk at 501-03 W. Orangeburg Ave., Lot 15 of Block 6063. (Tracy E. Fearnside)

(w) Sidewalk at 507-09 W. Orangeburg Ave., Lot 16 of Block 6063. (Wendy A. Fearnside)

(x) Sidewalk along W. Orangeburg Ave. at 1340 Sycamore Ave., Lot 1-4 of Block 6056. (Laura M. Mattews)

(y) Sidewalk at 427-33 W. Orangeburg Ave., Lot 11 & 12 of Block 6063. (Roswell D. Roberts)

(z) Sidewalk at 445-47 W. Orangeburg Ave. Lot 14 of Block 6063. (Joe Serra)

(aa) Sidewalk along W. Roseburg Ave., at 606 W. Roseburg Ave., a portion of Block 738. (L. K. Auernheimer)

(bb) Sidewalk at 712 W. Roseburg Ave., a portion of Block 739. (Thomas H. Berry)

(cc) Sidewalk at 230 W. Roseburg Ave., a portion of Block 744. (John S. Bosia)

(dd) Sidewalk at 226 W. Roseburg Ave., a portion of Block 744. (Elmer Breault, Jr.)

(ee) Sidewalk along W. Roseburg Ave. at 1205 Enslen Ave., Lot 13 of Block 6006. (Della C. Brewer)

(ff) Sidewalk along W. Roseburg Ave. at 709 W. Roseburg Ave., Lot 8 of Block 6006. (Raymond E. Cover)

(gg) Sidewalk at 302 W. Roseburg Ave., a portion of Block 743. (Herbert J. Dobrovolny)

(hh) Sidewalk at 624 W. Roseburg Ave., a portion of Block 738. (Harold L. Erwin)

(ii) Sidewalk at 120-26 W. Roseburg Ave., a portion of Block 744. (Galas Brothers, Inc.)

(jj) Sidewalk at 206 W. Roseburg Ave., a portion of Block 744. (Stanley Galas)

(kk) Sidewalk along W. Roseburg Ave. at 1139 McHenry Ave., a portion of Block 744. (Robert E. Hill)

(ll) Sidewalk at 614 W. Roseburg Ave., a portion of Block 738. (Robert L. Hirsch)

(mm) Sidewalk along W. Roseburg Ave. at 520 W. Roseburg Ave., a portion of Block 740. (Attie E. Howe)

(nn) Sidewalk at 205-23 W. Roseburg Ave. Lots 12-22 of Block 6000. (Ralph D. Hutchinson)

(oo) Sidewalk at 611 W. Roseburg Ave., Lot 11 of Block 6006. (Virgil L. Keck)

(pp) Sidewalk at 613 W. Roseburg Ave., Lot 10 of Block 6006. (Ronald V. Mancini)

(qq) Sidewalk at 704 W. Roseburg Ave., a portion of Block 739. (Harrey F. McCloud)

(rr) Sidewalk at 212 W. Roseburg Ave., a portion of Block 744. (Allan Miller)

(ss) Sidewalk at 124 W. Roseburg Ave., a portion of Block 744. (Patria F. Mora)

(tt) Sidewalk at 607 W. Roseburg Ave., the west 55' of Lot 12 of Block 6006. (Marjorie M. Sangestad)

(uu) Sidewalk at 605 W. Roseburg Ave., the east 50' of Lot 12 of Block 6006. (Melvin R. Sherman)

(vv) Sidewalk along W. Roseburg Ave. at 519 W. Roseburg Ave., Lot 5 of Block 6005. (Manuel R. Soares)

(ww) Sidewalk at 705 W. Roseburg Ave., Lot 9 of Block 6006. (Francis Stenson)

(xx) Sidewalk along W. Roseburg Ave. at 516 W. Roseburg Ave., a portion of Block 740. (Barbara Anna Theis)

(yy) Sidewalk along W. Roseburg Ave. at 1201 Brady Ave., Lot 4 of Block 6005. (Donald R. Weakly)

(zz) Sidewalk along W. Roseburg Ave. at 433 W. Roseburg Ave., Lot 28 of Block 6003. (John P. Williams)

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Roy A. and Hazel L. Amundson

ADDRESS 1535 Sherwood Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 of Block 6128 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-2418-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sherwood Avenue on the East side of Block 6128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Frank and Giovanna Buffa

ADDRESS 819 Sycamore Avenue, Modesto, Cal. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 140.14 feet of the North 70.178 feet of the South 140.157 feet of Lot 31 of Block 711 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 711, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1101-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the East side and Griswold Avenue on the North side of Block 711 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Darlene Fugitt

ADDRESS 710 Sycamore Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 140.17 feet of the North 70 feet of Lot 45 of Block 709 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 709, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1234-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the West side of Block 709 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Alfredo K. and Trinidad P. Garza

ADDRESS 1525 Sherwood Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 6127 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-2419-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sherwood Avenue on the East side of Block 6127 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Jack E. and Gloria R. Goodwin

ADDRESS 1708 Jacquelyn Way, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 140.17 feet of the South 59.64 feet of Lot 39 of Block 711 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 711, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1106-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the East side of Block 711 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Jack E. McCoy

ADDRESS 3333 McHenry Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 140.15 feet of the South 52.678 feet of the North 82.678 feet of Lot 38 of Block 711 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 711, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1103-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the East side of Block 711 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Elaine K. McIlree

ADDRESS 3250 Yosemite Blvd, El Cerrito, Ca. 94350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 140.07 feet of the North 105.538 feet of Lot 39 of Block 711 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 711, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1105-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the East side of Block 711 in the City of Modesto, all of said construction to be in accordance with the City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Sybol J. Munson

ADDRESS 808 Sycamore Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 140.152 feet of the North 55 feet of Lot 37 of Block 709 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 709, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1228-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the West side of Block 709 in the City of Modesto, all of said construction to be in accordance with the City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Mary Olarrea

ADDRESS 423 W. Orangeburg Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 of Block 6063 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-2489-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sherwood Avenue on the East side and W. Orangeburg Avenue on the South side of Block 6063 in the City of Modesto, all said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Mary R. Palmer

ADDRESS 820 Sycamore Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 140.137 feet of the North 70 feet of the South 140.178 feet of Lot 32 of Block 709 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 709, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1226-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the West side of Block 709 in the City of Modesto, all of said construction to be in accordance with the City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Josephine Ruffino

ADDRESS 815 Sycamore Avenue, Modesto, California 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 140.15 feet of the South 70 feet of Lot 31 and the West 140.15 feet of the North 30 feet of Lot 38 of Block 711 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 711, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1102-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the East side of Block 711 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Valerio Rodoni

ADDRESS 431 Virginia Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 and 2 of Block 453 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 453, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 109-0457-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Virginia Avenue on the East side of Block 453 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Lee Schrecongost

ADDRESS 714 Sycamore Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 140.162 feet of the South 55.178 feet of the North 110.178 feet of Lot 40 of Block 709 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 709, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1232-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the West side of Block 709 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Robert L. and Anne B. Sharyon

ADDRESS 801 Sycamore Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 140.15 feet of the South 82.5 feet of Lot 38 of Block 711 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 711, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1104-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the East side of Block 711 in the City of Modesto, all of said construction to be in accordance with the City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Robert L. and Anne B. Sharyon

ADDRESS 801 Sycamore Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 140.15 feet of the South 82.5 feet of Lot 38 of Block 711 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 711, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1104-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the East side of Block 711 in the City of Modesto, all of said construction to be in accordance with the City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Michael H. Smith & Avera T. Haines

ADDRESS 804 Sycamore Avenue, Modesto, Ca.

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 140.154 feet of the North 55.178 feet of the South 110.178 feet of Lot 37 of Block 708 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 709, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1229-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the West side of Block 709 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Richard T.Tosaw

ADDRESS P. O. Box 501, Ceres, California 95307

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 6128 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-2401-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sherwood Avenue on the East side of Block 6128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Jessie V. Trueblood

ADDRESS 1401 10th Street, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 140.165 feet of the South 55 feet of Lot 40 of Block 709 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 709, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1233-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the West side of Block 709 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Walter A. Williams, Jr. and Wilma O. Williams

ADDRESS 720 Sycamore Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 140.156 feet of the South 55 feet of Lot 37 of Block 709 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 709, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1230-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Sycamore Avenue on the West side of Block 709 in the City of Modesto, all of said construction to be in accordance with the City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME David H. and Jeanette Wilson

ADDRESS 802 Virginia Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 60 feet of Lot 55 of Block 717 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 717, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-0956-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Virginia Avenue on the West side of Block 717 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Mary Elizabeth Bolles & Edna B. Kruse

ADDRESS 439 W. Orangeburg Avenue, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 of Block 6063 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. 002-01 119-2487-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Orangeburg Avenue on the South side of Block 6063 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Philip M. Fearnside

ADDRESS 39 Forest Street, Wellesley Hills, Mass. 02181

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 17 of Block 6063 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-2483-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Orangeburg on the South side of Block 6063 in the City of Modesto, all of said construction to be in accordance with the City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Tracy E. Fearnside

ADDRESS 39 Forest Street, Wellsley Hills, Mass. 02181

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 15 of Block 6063 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-2485-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Orangeburg Avenue on the South side of Block 6063 in the City of Modesto, all of said construction to be in accordance with the City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Wendy A. Fearnside

ADDRESS 39 Forest Street, Wellesley Hills, Mass. 02181

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 16 of Block 6063 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-2484-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Orangeburg Avenue on the South side of Block 6063 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Laura M. Matthews

ADDRESS 1340 Sycamore Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1-4 of Block 6056 of Mensinger Tract No. 2 as per map filed June 30, 1936 in Volume 11 of Maps, Page 30, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-1342-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Orangeburg Avenue on the North side of Block 6056 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Roswell D. and Ruby Roberts

ADDRESS 544 Alpine Lane, Sonora, Ca. 95370

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 11 and 12 of Block 6063 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-2488-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Orangeburg Avenue on the South side of Block 6063 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME L. K. and Evelyn Auernheimer

ADDRESS 116 E. Griffith Way, Fresno, California 93705

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 90.12 feet of the East 100.085 feet of Lot 1 of North Central Tract as per map filed September 24, 1919 in Volume 9 of Maps, Page 18, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1301-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 738 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Thomas H. and E. Pearl Berry

ADDRESS 747 S. 99 Highway, Modesto, Ca. 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 95.533 feet of the East 207.533 feet of Lot 2 and the North 100 feet of Lot 3 of North Central Tract as per map filed September 24, 1919 in Volume 9 of Maps, Page 18, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1340-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 739 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME John S. and Dorothy Bosia

ADDRESS 1116 Arc Way, Modesto, California 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 86.738 feet of Lot 18 of Block 743 of Mensinger Tract No. 1 as per map filed October 8, 1931 in Volume 11 of Maps, Page 21, Stanislaus County Records.

Also the West 23.417 feet of Lot 8 of Bonnie Brae Tract (First Addition) as per map filed May 18, 1920 in Volume 9 of Maps, Page 36, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-0408-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 744 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Della C. Brewer

ADDRESS 1205 Enslen Avenue, Modesto, California 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 of Block 6006 of James Tract as per map filed December 29, 1939 in Volume 11 of Maps, Page 68, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-1152-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the South side of Block 6006 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Raymond E. and Joan S. Cover

ADDRESS 709 W. Roseburg Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 of Block 6006 of James Tract as per map filed December 29, 1939 in Volume 11 of Maps, Page 68, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-1158-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the South side of Block 6006 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Herbert J. and Violet Dobrovolny

ADDRESS 302 W. Roseburg Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 39.875 feet of the North 176.42 feet of Lot 17 and the West 46.833 feet of Lot 18 of Block 743 of Mensinger Tract No. 1 as per map file October 8, 1931 in Volume 11 of Maps, Page 21, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-0407-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 743 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Harold L. and Edythe Erwin

ADDRESS 624 W. Roseburg Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 100 feet of Lots 1, 4 and 5 of North Central Tract as per map filed September 24, 1919 in Volume 9 of Maps, Page 18, Stanislaus County Records

Stanislaus County Assessor's Parcel No. (002-01 113-1342-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 738 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME GALAS BROTHERS, INC.

ADDRESS 806 McHenry Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at a point 385 feet West and 30 feet South of the East $\frac{1}{4}$ corner of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, thence South 152.84 feet; thence West 77 feet; thence South 220 feet; thence East 412 feet; thence North 275.84 feet; thence West 165 feet; thence North 90 feet; thence West 177 feet to the beginning point.

Stanislaus County Assessor's Parcel No. (002-01 113-0415-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 744 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Stanley and Bonnie K. Galas Norman and June E. Galas

ADDRESS 1402 Cypress Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 152.84 feet of the North 182.84 feet of the West 60 feet of the East 445 feet of the Southeast $\frac{1}{4}$ of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian

Stanislaus County Assessor's Parcel No. (002-01 113-0413-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 744 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Robert E. Hill and Janet E. Sylva

ADDRESS 6929 Arrowwood Court, Modesto, California 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 90 feet of the North 120 feet of the West 165 feet of the East 208 feet of the Southeast $\frac{1}{4}$ Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Stanislaus County Assessor's Parcel No. (002-01 113-0414-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 744 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Robert L. and Jessie M. Hirsch

ADDRESS 614 W. Roseburg Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 100 feet of the West 200 feet of Lots 1,4 and 5 of North Central Tract as per map filed September 24, 1919 in Volume 9 of Maps, Page 18, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1343-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 738 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Ralph D. and Wilberta M. Hutchinson

ADDRESS 1510 Cherrywood Drive, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 12-22 of Block 6000 of Mensinger Tract No. 4 as per map filed on August 1, 1946 in Volume 14 of Maps, Page 68, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-1707-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the South side of Block 6000 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Vergil L. and Lillian Keck

ADDRESS 611 W. Roseburg Avenue, Modesto, California 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 of Block 6006 of James Tract as per map filed December 29, 1939 in Volume 11 of Maps, Page 68, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-1155-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the South side of Block 6006 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Ronald V. and Glenda L. Mancini

ADDRESS 613 W. Roseburg Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 of Block 6006 of James Tract as per map filed December 29, 1939 in Volume 11 of Maps, Page 68, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-1156-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the South side of Block 6006 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME F. Harvey and Donna B. McCloud

ADDRESS 610 Muir Road, Modesto, California 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 110 feet of Lots 2,3 and 6 of North Central Tract as per maps filed September 24, 1919 in Volume 9 of Maps, Page 18, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 113-1341-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 739 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Allan Miller

ADDRESS 212 W. Roseburg Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 152.84 feet of the North 182.84 feet of the West 60 feet of the East 505 feet of the Southeast $\frac{1}{4}$ of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Stanislaus County Assessor's Parcel No. (002-01 113-0412-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 744 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Patria F. Mora

ADDRESS 1448 Scenic Drive, Modesto, California 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 152.84 feet of the North 182.84 feet of the West 50 feet of the East 555 feet of the Southeast $\frac{1}{4}$ of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Stanislaus County Assessor's Parcel No. (002-01 113-0411-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidwalk along the street frontage abutting W. Roseburg Avenue on the North side of Block 744 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Marjorie M. Saugestad

ADDRESS 607 W. Roseburg Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 55 feet of Lot 12 of Block 6006 of James Tract as per map filed December 29, 1939 in Volume 11 of Maps, Page 68, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-1154-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the South side of Block 6006 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Melvin R. and Laura Sherman

ADDRESS 605 W. Roseburg Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 50 feet of Lot 12 of Block 6006 of James Tract as per map filed December 29, 1939 in Volume 11 of Maps, Page 68, Stanislaus County Records.

Stansialus County Assessor's Parcel No. (002-01 119-1153-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the South side of Block 6006 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Francis and Barbara Stenson

ADDRESS P. O. Box 1229, Turlock, Ca. 95380

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 6006 of James Tract as per map filed December 29, 1939 in Volume 11 of Maps, Page 68, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. (002-01 119-1157-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the South side of Block 6006 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Donald R. and Myrna Weakley

ADDRESS 1201 Brady Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 80 feet of the South 110 feet of the West 135 feet of the East 485 feet of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Stanislaus County Assessor's Parcel No. (002-01 119-1273-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the South side of Block 6005 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 19 73.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME John P. and Sharon K. Williams

ADDRESS 433 W. Roseburg Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 150 feet of the South 180 feet of the West 75 feet of the East 300 feet of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Stanislaus County Assessor's Parcel No. (002-01 119-1277-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Roseburg Avenue on the South side of Block 6003 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 4th day of June, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 22nd day of May, 1973.

ORIGINAL SIGNED BY
ROSS CAMPBELL

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 73-409

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE L. AND DARLENE REED, DBA AVIS RENT A CAR SYSTEM AT CITY-COUNTY AIRPORT, FOR MAINTAINING AN OFFICE IN THE PASSENGER TERMINAL

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and George L. and Darlene Reed, dba Avis Rent a Car System at City-County Airport for maintaining an office in the passenger teminal (rental to the City will be $49.50 monthly)
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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-410

A RESOLUTION APPROVING THE FINAL MAP OF THE GREENFIELD VILLAGE NO. 4 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Wolverine Building Service, Inc., a corporation,

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 15.607 acres, known as the GREENFIELD VILLAGE NO. 4 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of April, 1970, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said GREENFIELD VILLAGE NO. 4 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 of the GREENFIELD VILLAGE NO. 4 Subdivision 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 in the amount of Three Thousand, Five Hundred Seventy-Four and 75/100ths ($3,564.75) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 14th day of May, 1973 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-411

COOPERATIVE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND County of Stanislaus FOR AIRPORT STORM DRAIN

BE IT HEREBY RESOLVED by the Council of the City of Modesto
cooperative
that the/agreement between the City of Modesto and County of Stanislaus

for Airport Storm Drain

be, and it is hereby approved.

cooperative
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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-412

A RESOLUTION APPROVING COOPERATIVE AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS AND COUNTY OF STANISLAUS FOR CARPENTER ROAD OVERPASS OF S.P. TRACKS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the cooperative agreement between the City of Modesto and State of California, Department of Public Works, Division of Highways and County of Stanislaus for Carpenter Road Overpass of S.P. Tracks

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said cooperative 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 May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-413

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $404,544 TO PROVIDE FUNDS FOR THE CONSTRUCTION OF THE CARPENTER ROAD OVERPASS OF THE S.P. TRACKS

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (60-321)	$404,544
TO:	Prescott-Carpenter Overpass (6735-41-321)	$404,544

(To provide an amount according to the agreements with the State and County for the construction of the Carpenter Road overpass of the S.P. tracks)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-414

RESOLUTION ESTIMATING REVENUES FROM THE PUBLIC UTILITIES COMMISSION AND THE SOUTHERN PACIFIC COMPANY FOR THE CARPENTER ROAD OVERPASS.

WHEREAS, the Council of the City of Modesto has authorized a cooperative agreement with the State of California and the County of Stanislaus, for the construction of a Carpenter Road overpass across the Southern Pacific Company railroad tracks, and

WHEREAS, the City of Modesto and the County of Stanislaus are each obligated to provide $404,543.68 to the State of California for said overpass project, and

WHEREAS, it is anticipated that the Public Utilities Commission of the State of California will pay the City of Modesto approximately $180,000.00 to be used to offset part of said overpass project cost, and

WHEREAS, it is anticipated that the Southern Pacific Company will pay the City of Modesto approximately $30,000.00 for said overpass project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an amount of $180,000.00, estimated to be received from the Public Utilities Commission, is to be recorded in the revenue account "P.U.C. Allocation" (revenue account no. 217), and appropriated in the account "General Reserve" (appropriation account no. 60) in the Special Fund for Capital Outlays (Fund No. 321).

BE IT FURTHER RESOLVED that an amount of $30,000.00 estimated to be received from the Southern Pacific Company is to be recorded in the revenue account "Railroad Share of Street Project" (revenue account no. 264), and appropriated in the account "General Reserve" (appropriation account no. 60) in the Special Fund for Capital Outlays (Fund No. 321).

BE IT FURTHER RESOLVED that these estimated revenues are to be used to offset part of the Carpenter Road overpass project cost.

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 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-415

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $6,614 TO PROVIDE FUNDS FOR THE ACCELERATED PURCHASE OF EQUIPMENT REQUESTED IN THE 1973-74 BUDGET

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Regular (110-21-101)	$6,614.00
TO:	Air Mask Replacement (5404-21-101)	2,678.00
	Air Cylinders/Replacements & Additions (5407-21-101)	1,460.00
	1 1/2-inch Fire Hose Replacement (5405-21-101)	1,019.00
	Low Air Warning Alarms for Air/Masks (5408-21-101)	586.00
	Resuscitator for Airport #1 (5406-21-101)	871.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-416

A RESOLUTION APPOINTING COUNCILMAN RAYMOND C. SIMON AS VICE MAYOR

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Raymond C. Simon is hereby appointed as Vice Mayor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-417

A RESOLUTION APPOINTING COUNCILMAN RAYMOND C. SIMON AS A MEMBER OF THE STANISLAUS AREA TRANSPORTATION STUDY POLICY ADVISORY COMMITTEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Raymond C. Simon is hereby appointed as a member of the Stanislaus Area Transportation Study Policy Advisory Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-418

A RESOLUTION APPOINTING MEMBER OF THE PLANNING COMMISSION FOR A TERM ENDING JANUARY 1, 1977 (Fleeta Raines)

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: (Term ending January 1, 1977)

Fleeta Raines
1320 - 11th Street
Modesto, California 95354

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 May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-419

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL REQUIREMENT OF LAMPS FOR MUNICIPAL LIGHTING FOR ONE YEAR ENDING JUNE 30, 1974

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

SECTION 1. The plans and specifications for annual requirement of lamps for municipal lighting for one year ending June 30, 1974 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 12, 1973 at 2:15 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mesninger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-420

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SHERWOOD PARK WADING POOL (Wolverine Building Service, Inc.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Sherwood Park Wading Pool has been completed by Wolverine Building Service, Inc.

in accordance with the contract agreement dated December 26, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of Sherwood Park Wading Pool be accepted from said contractor, Wolverine Building Service, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $22,440.00 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 21st day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-421

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF TENNIS COURTS IN DOWNEY PARK

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

SECTION 1. The plans and specifications for construction of tennis courts in Downey 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 June 5, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott, Newton

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-422

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUBTRUNK SEWER ON DALE ROAD (Taylor Construction Company)

WHEREAS, a report has been filed by the Department of Public Works that the construction of subtrunk sewer on Dale Road has been completed by Taylor Construction Co.

in accordance with the contract agreement dated April 2, 1973

NOW, THEREFORE, BE IT RESOLVED that the construction of subtrunk sewer on Dale Road be accepted from said contractor, Taylor Construction Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $24,145.80 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 21st day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-423

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. (ORANGEBURG-LILLIAN ADDITION)

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 April 2, 1973, duly adopted Resolution No. 73-279 (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. 105 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, May 21, 1973, at the hour of 4:05 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. 105 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. 105 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. 105, 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. 105, 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 21st day of May, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Public Works Department

J.L.C.
4-5-73

Corrected February 1, 1973

Corrected February 2, 1973

ORANGEBURG-LILLIAN ADDITION

All that real property in the State of California, County of Stanislaus, in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Merician, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972 as Instrument 23377, Stanislaus County Records, said point being the intersection of the centerline of a 40 foot public road known as East Orangeburg Avenue, and the North-South quarter line of Section 24; thence along the existing City Limits and the boundary of said ADDITION (292), South 89°21'00" West, 1310.14 feet, to a point on the Western line of Lot 11 of the IDAHO COLONY, as per map filed April 27, 1909, in Volume 4 of Maps, Page 21, Stanislaus County Records; thence along said Western line, South 00°56'32" East, 1322.80 feet, to the intersection of the Northern line of the LINCOLN ESTATES NO. 4 SUBDIVISION, as per map filed July 28, 1965, in Volume 21 of Maps, Page 14, Stanislaus County Records, and the centerline of a 50.00 foot public road known as Dixon Way; thence along the boundary of LINCOLN ESTATES NO. 4 SUBDIVISION the following courses and distances, North 89°20'55" East, 645.28 feet, South 00°51'35" East, 736.67 feet, to the Northeast corner of the SCENIC HEIGHTS SUBDIVISION, as per map filed October 31, 1962, in Volume 20 of Maps, Page 30, Stanislaus County Records; thence along the Eastern line of the SCENIC HEIGHTS SUBDIVISION and its Southerly extension, South 00°51'35" East, 600.66 feet, to the centerline of a public road known as Scenic Drive; thence along the centerline of a 50 foot public road known as Scenic Drive, North 87°58'38" East, 327.34 feet, thence leaving the centerline of Scenic Drive, North 00°54'05" West, 1329.50 feet, to the quarter section line of Section 24; thence along said quarter section line, North 89°20'55" East, 337.72 feet, to the interior quarter corner of Section 24; thence along a North-South quarter section line, North 00°54'22" West, 1322.76 feet, to the point of beginning, containing 49.775 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-424

A RESOLUTION DENYING THE APPEAL OF WARNER M. SOELLING TO THE DECISION OF THE PLANNING COMMISSION DENYING AN AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP, AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION.

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Warner M. Soelling on February 15, 1973, to rezone from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D, for a neighborhood shopping center and office complex with a single-family residential development at the westerly end of property located at the southwest corner of Old Oakdale Road and Briggsmore Avenue described as follows:

> All that portion of Section 22, Township 3 South, Range 9 East of the Mount Diablo Base and Meridian described as follows:
>
> All of Lot 1 of the Broughton Colony Tract as shown on the map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records.
>
> Excepting therefrom the Southerly 227.64 feet.
>
> Also excepting therefrom all of M. I. D. Lateral No. 3 and Briggsmore Avenue immediately adjacent to the above described property,

and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of March 20, 1973, at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, and evidence both oral and documentary was taken and introduced, and

WHEREAS, thereafter the Commission adopted Resolution No. 73-42 denying the application of Warner M. Soelling for an amendment to Section 22-3-9 of the Zoning Map to rezone the property described above from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D, and

WHEREAS, an appeal to the Planning Commission's decision denying the above-requested rezoning was filed by Warner M. Soelling with the City Clerk on March 21, 1973, and

WHEREAS, said appeal was set for a hearing before the Council of the City of Modesto on April 23, 1973, in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at which time said hearing was continued to May 14, 1973, at which time said hearing was further continued to May 21, 1973, and

WHEREAS, after said public hearing held on May 21, 1973, said Council, after hearing evidence both oral and documentary, found and determined that the amendment to Section 22-3-9 of the Zoning Map to rezone the above-described property to Planned-Development Zone, P-D, is not required by public necessity, convenience and general welfare because the subject property lacks proper street access for a neighborhood shopping center, having no right of access to or from Briggsmore Avenue and having only a very narrow frontage along Old Oakdale Road with which to provide access.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Warner M. Soelling to the decision of the Planning Commission denying an amendment to Section 22-3-9 of the Zoning Map be denied for the reason set forth above, and the decision of the Planning Commission is affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Davies, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: Newton, Simon

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By John R. Lodey
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-425

A RESOLUTION APPROVING THE FINAL MAP OF THE KINGSWOOD ESTATES NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Stewart and Jasper Poultry Ranch, a corporation, and Weeks Real Estate, a corporation,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 11.526 acres, known as the Kingswood Estates No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 20th day of May, 1970, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Kingswood Estates 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 of the Kingswood Estates No. 2 Subdivision 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 in the amount of Two Thousand, Five Hundred Eighty-Eight and 60/100ths ($2,588.60) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 21st day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-426

A RESOLUTION ACCEPTING A DEED OF EASEMENT FROM BEARD LAND IMPROVEMENT CO. TO CITY OF MODESTO FOR AN ACCESS ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that it hereby accepts a deed of easement from the Beard Land Improvement Co. to the City of Modesto for an access road from the Modesto City-County Airport under the Mitchell Road bridge to the ILS middle marker site and runway alignment indicator light system (RAILS).

BE IT FURTHER RESOLVED that the Council hereby expresses its appreciation to Beard Land Improvement Co. for granting the easement 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 21st day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-427

A RESOLUTION APPROVING REVISED RIGHT OF WAY CERTIFICATE FOR THE IMPROVEMENT OF MORRIS AVENUE AND VIRGINIA AVENUE AT MODESTO IRRIGATION DISTRICT LATERAL NO. 4

BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a revised right of way certificate for the improvement of Morris Avenue and Virginia Avenue at Modesto Irrigation District Lateral No. 4.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign the revised right of way certificate in behalf 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 21st day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-428

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CLARENCE C. AND ELSIE ROAN FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY 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 Clarence C. and Elsie Roan

for sewer service to property outside the City at 1410 Garden Ave.

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 May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-429

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TUOLUMNE TEN FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT TUOLUMNE MOBILE HOME PARK, 821 W. HATCH ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Tuolumne Ten

for sewer service to property outside the City at Tuolumne Mobile Home Park, 821 W. Hatch 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 21st day of May 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-430

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND E. & J. GALLO WINERY FOR THE PURCHASE AND REMOVAL OF DRIED DIGESTED SLUDGE

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 purchase and removal of dried digested sludge

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 May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-431

A RESOLUTION APPROVING THE APPOINTMENT OF MRS. NATALIE SHASTID AS CITY REPRESENTATIVE ON MODESTO ART SELECTION COMMITTEE

WHEREAS, at a Modesto City Council meeting held March 5, 1973, the Central Valley Art League proposed a permanent art collection of paintings by Modesto artists; and

WHEREAS, the Modesto City Council authorized Mayor Davies to appoint a member of the Art Selection Committee.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Mrs. Natalie Shastid is hereby appointed as City representative on Modesto Art Selection Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-432

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR TRAFFIC SIGNALS AND STREET LIGHTS AT TULLY AND MT. VERNON

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

SECTION 1. The plans and specifications for traffic signals and street lights at Tully and Mt. Vernon

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 3, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of May, 19 73 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-433

A RESOLUTION REJECTING BIDS OPENED MAY 22, 1973 FOR CONSTRUCTION OF CURBS AND GUTTERS AT BEARD BROOK PARK

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MODESTO that it hereby rejects all bids opened May 22, 1973 at 10:10 A.M. for construction of curbs and gutters at Beard Brook Park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of May, 1973 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

W. T. Chynoweth

ATTEST: W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-434

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF CURB AND GUTTER AT BEARD BROOK PARK

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

SECTION 1. The plans and specifications for construction of curb and gutter at Beard Brook 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 June 12, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of May, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-435

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING COMPANY FOR CONSTRUCTION OF DAVIS PARK TENNIS COURTS

WHEREAS, Resolution No. 73-360 , adopted by the Council of the City of Modesto on May 7, 1973 , approved the plans and specifications for the construction of Davis Park Tennis Courts

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Davis Park Tennis Courts
were opened at 10:00 A.M. on May 22, 1973 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 Lee White Paving Co. in the amount of $75,494.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Co. in the amount of $75,494.00

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 29th day of May, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-436

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF FIRE HYDRANTS AND WATERLINES IN BUENA VISTA, EL RIO AND LA SOMBRA STREETS

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

SECTION 1. The plans and specifications for installation of Fire Hydrants and Waterlines in Buena Vista, El Rio and La Sombra 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 12, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-437

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION AND REPAIR OF CURBS, GUTTERS AND SIDEWALKS AT VARIOUS LOCATIONS - NO. 3

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

SECTION 1. The plans and specifications for construction and repair of Curbs, Gutters and Sidewalks at Various Locations - No. 3 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 19, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-438

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN CARPENTER ROAD FROM MAZE TO ELM.

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

SECTION 1. The plans and specifications for installation of Waterlines in Carpenter Road from Maze to Elm 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 12, 1973 at 10:15 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of May, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-439

A RESOLUTION APPROVING REQUEST OF ROGER C. RULE, GENERAL CONTRACTOR, REPRESENTING THE OWNERS OF PROPERTY AT 1500 McHENRY AVENUE TO CONSTRUCT EXPOSED AGGREGATE CONCRETE IN PUBLIC SIDEWALK

WHEREAS, Roger C. Rule, General Contractor, as representative of property owner of structure located at 1500 McHenry Avenue, Modesto, California, has requested permission to install exposed aggregate sidewalk in front of the building; and

WHEREAS, the Director of Public Works in a memorandum dated May 17, 1973, has recommended approval of the request for exposed aggregate sidewalk in front of the building at 1500 McHenry Avenue on the basis that on two previous occasions the Council has approved the exposed aggregate sidewalk in the downtown area which have not created any problems.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Roger C. Rule, representing the owners of property at 1500 McHenry Avenue, for permission to construct exposed aggregate concrete sidewalk is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of May, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-440

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. (On Miller Avenue at 2102 Miller Avenue, Lot 9 of Block 2263 - James E. Howard - $241.00)

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 29, 19 73, at 7:35 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 $241.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $241.00, be assessed in 5 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 2263 of Alta Vista Tract No. 2 as per map filed May 15, 1947 in volume 16 of Maps, Page 43, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-9409-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 29th day of May, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO., 73-441

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. (209 Oakshire Ave., Lot 11 of Block 2611 - Gilbert L. McBroom - $187.00)

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 29, 1973, at 7:35 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 $187.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $187.00, be assessed in 4 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 of Block 2261 of Alta Vista Tract No. 2 as per map filed May 15, 1947 in Volume 16 of Maps, Page 43, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-9208-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 29th day of May, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-442

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. (2015 Miller Ave., Lot 15 of Block 2225 - Sarah R. Ulyak - $213.60)

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 29, 19 73, at 7:35 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 $213.60.

SECTION 2. That the cost of the aforesaid work, being the amount of $213,60, be assessed in 4 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 15 of Block 2225 of Alta Vista Tract as per map filed September 12, 1946 in Volume 14 of Maps, Page 75, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-1256-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 29th day of May, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-443

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (CLAREMONT NO. 4 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on May 7, 19 73, certain territory known as CLAREMONT NO. 4 Addition, and

WHEREAS, the inclusion of the area contained in CLAREMONT NO. 4 Addition 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 CLAREMONT NO. 4 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 106.

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

SECTION 5. Monday, July 16, 19 73, 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 judgment 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. 106.

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) 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) **On the South side of Sylvan Avenue at the West boundary of the annexation.**

(2) **On the South side of Sylvan Avenue 250 feet East of the West boundary of the annexation.**

(3) **On the South side of Sylvan Avenue at the East boundary of the annexation.**

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 106, 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 29th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Public Works Department

5-22-73

March 7, 1973

CLAREMONT NO. 4 ADDITION

All that real property in the State of California, County of Stanislaus, in 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 the Northwestern corner of the CLAREMONT NO. 3 ADDITION (278), as per description filed November 4, 1971, as Instrument 42166, Stanislaus County Records, and a Southwestern corner of the SYLVAN-COFFEE NO. 1 ADDITION (242), as per description filed October 9, 1969, as Instrument 33952, Stanislaus County Records, said point being also the intersection of a North-South quarter quarter section line and the East-West quarter section line of Section 9, said quarter section line being also the center line of a public road known as Sylvan Avenue; thence leaving the existing City Limits, and along said quarter section line, North 89° 17' 00" West, 509.50 feet to a Northeastern corner of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (275) the following courses; South 00° 45' 00" East, 435.00 feet; South 89° 15' 00" West, 17.00 feet; South 00° 45' 00" East, 101.00 feet; North 88° 00' 00" East, 276.31 feet; North 00° 44' 25" West, 14.98 feet; North 89° 15' 35" East, 250.00 feet, to a point on the CLAREMONT NO. 3 ADDITION (278); thence along the boundary of said ADDITION (278) North 00° 44' 25" West, 501.99 feet, to the point of beginning, containing 6.090 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 May 29, 1973, 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 Councilman Simon, seconded by Councilman Dunlap, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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: May 30, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-444

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 Claremont No. 4 Addition by Resolution No. 73-387 adopted on May 7, 1973, and said addition officially became a part of the City of Modesto on May 18, 1973, 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, THEREFORE, 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, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 29th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

RCM 5-22-73

By RC Mangnall
Public Works Department

March 7, 1973

CLAREMONT NO. 4 ADDITION

All that real property in the State of California, County of Stanislaus, in 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 the Northwestern corner of the CLAREMONT NO. 3 ADDITION (278), as per description filed November 4, 1971, as Instrument 42166, Stanislaus County Records, and a Southwestern corner of the SYLVAN-COFFEE NO. 1 ADDITION (242), as per description filed October 9, 1969, as Instrument 33952, Stanislaus County Records, said point being also the intersection of a North-South quarter quarter section line and the East-West quarter section line of Section 9, said quarter section line being also the center line of a public road known as Sylvan Avenue; thence leaving the existing City Limits, and along said quarter section line, North 89° 17' 00" West, 509.50 feet to a Northeastern corner of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (275) the following courses; South 00° 45' 00" East, 435.00 feet; South 89° 15' 00" West, 17.00 feet; South 00° 45' 00" East, 101.00 feet; North 88° 00' 00" East, 276.31 feet; North 00° 44' 25" West, 14.98 feet; North 89° 15' 35" East, 250.00 feet, to a point on the CLAREMONT NO. 3 ADDITION (278); thence along the boundary of said ADDITION (278) North 00° 44' 25" West, 501.99 feet, to the point of beginning, containing 6.090 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-445

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO JUNIOR COLLEGE FOR WORK-STUDY PROGRAM FOR COLLEGE STUDENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Junior College

for Work-Study Program for college students

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 29th day of May, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-446

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BEARD LAND IMPROVEMENT COMPANY FOR REIMBURSEMENT OF SEWER COSTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Beard Land Improvement Company for reimbursement to them for that portion of the constructed sewer which benefits properties other than their own - Mariposa Avenue and Farrar Avenue Sewers 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 29th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-447

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS STATE COLLEGE FOUNDATION TO PERMIT CITY OF MODESTO TO USE TWO STUDENTS FROM STANISLAUS STATE COLLEGE UNDER THE FEDERALLY FUNDED INTERGOVERNMENTAL PERSONNEL ACT OF 1970 FOR SUMMER OF 1973

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus State College Foundation xxxx to permit City of Modesto to use two students from Stanislaus State College under the federally funded Intergovernmental Personnel Act of 1970 for summer of 1973 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 29th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-448

RESOLUTION APPROVING REQUEST OF SALVATION ARMY FOR PAYMENT OF $300 BUDGETED FOR FISCAL YEAR 1972-73

BE IT RESOLVED by the Council of the City of Modesto that the request of Salvation Army for payment of $300 budgeted for fiscal year 1973-73 per agreement dated April 2, 1952 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of May, 1973 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-449

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES R. HUGHES, ET AL AND ACCEPTING GRANT DEED (East side of McHenry, north of Standiford)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Charles R. Hughes, et al, for the McHenry Avenue project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of May, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-450

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR TRANSFER OF CITY-OWNED PROPERTY AT THE CORNER OF G AND 11TH STREETS, BLOCK 82, TO THE COUNTY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County of Stanislaus for transfer of City-owned property at the corner of G & 11th Streets, Block 82, to the County 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 29th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-451

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS COFFEE-FLOYD NO. 2 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one-fourth (1/4) of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus was filed with the Council of the City of Modesto on May 22, 19 73, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as COFFEE-FLOYD NO. 2 Addition, and described as attached hereto and made a part hereof as though set forth in full herein.

3. That the matter of the proposed annexation to the City of Modesto of said territory has been referred to the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission did on April 20, 1973, approve the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code.

4. That no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 23rd day of July, 1973, at the hour of 7:30 o'clock P. M. of said day, in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the

owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and shall also cause a copy of this resolution to be published in the Riverbank News, being a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. 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 29th day of May, 1973,

by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By P C Mongrell
Public Works Department

5-24-73

Corrected April 17, 1973

COFFEE-FLOYD NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in Section 16, 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 COFFEE-FLOYD ADDITION (272), as per description filed June 22, 1971, as Instrument 23064, Stanislaus County Records, said point also being the intersection of the Section line common to Section 16 and Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and the quarter-quarter section line of the Northeast quarter of Section 16; thence along said quarter-quarter section line, North 89°29'40" West, 431.00 feet, to a Northeastern corner of the SHERWOOD TERRACE ADDITION (183), as per description filed November 9, 1965, as Instrument 43731, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (183), the following courses, South 0°54'15" East, 122.44 feet; North 89°30'40" West, 100.00 feet; South 0°54'15" East, 70.00 feet, to the Northwestern corner of the EAST FLOYD NO. 3 ADDITION (122), as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Recrods; thence along the existing City Limits and the boundary of said ADDITION (122) the following courses, South 89°27'57" East, 346.00 feet; South 0°53' East, 214.00 feet, to a Northwestern corner of the SHERWOOD MEADOWS ADDITION (175), as per description filed March 26, 1965, as Instrument 11993, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (175), the following courses, South 89°30' East, 185.01 feet; North 0°53' West, 406.64 feet, to the point of beginning, containing 2.973 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-452

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $797 TO PROVIDE FUNDS FOR DOWNEY CHOIR VIENNA TRIP

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$797
TO:	Downey Choir Vienna Trip (463-61-101)	$797

(It has been determined that the cost of the trip for each student will be $797. (The Council agreed previously to contribute one student's cost for the trip)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of May, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 453

A RESOLUTION APPROVING REQUEST OF STANISLAUS COUNTY FOURTH OF JULY COMMITTEE FOR THE CELEBRATION BEING HELD IN THE CITY OF MODESTO JULY 4, 1973.

WHEREAS, the Stanislaus County Fourth of July Committee has filed the following requests relating to its celebration being held in the City of Modesto, Wednesday, July 4, 1973:

1. That I Street, between 11th and 12th Streets, be barricaded between 9:30 A. M. and 3:30 P. M.;

2. That permission be granted for the use of the City's reviewing stand with canvass top, to be placed on I Street close to the cannon in the Courthouse Park by City personnel on Tuesday, July 3rd;

3. That the Committee be granted permission to use a public address system at the reviewing stand (public address system to be furnished by said Committee);

4. That the use of Del Webb Field for entertainment and display of fireworks on the evening of July 4, 1973, be approved; and

5. That the parade route used in 1972 be approved as the same route to be used in 1973;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the requests of the Stanislaus County Fourth of July Committee be approved, subject to the following conditions:

1. That the parade route be approved by the Police Department and Parking and Traffic Department;

2. That the use of Del Webb Field to display fireworks be approved on the following conditions:

(a) That the weather conditions will not create any fire hazard to the surrounding area;

(b) That the City be held harmless from and against any and all costs, damages and liability arising out of the use of the field;

(c) That the Committee furnish to the City Clerk of City a policy or certificate of insurance evidencing Public Liability and Property Damage Insurance as shall protect it and any person employed by it, from claims for damages for personal injury which may arise hereunder. The amounts of such insurance shall be as follows:

Public Liability Insurance in an amount not less than $100,000.00 for injuries including wrongful death to any one person, and subject to the same limits for each person in an amount not less than $500,000.00 on account of one accident, and Property Damage Insurance in an amount not less than $100,000.00.

Committee's liability policy and the certificate of insurance which is to be furnished to City Clerk of City shall contain a contractual liability endorsement stating that the policy is extended to cover the liability assumed by Committee under the terms of this resolution, and the liability policy and certificate of insurance to be furnished to City shall also contain a cancellation endorsement that the insurance coverage may not be cancelled nor the amount of coverage reduced until ten (10) days after receipt by the City Clerk of City of a written notice of such cancellation or reduction in coverage.

(d) That the Committee assumes the responsibility for cleaning the field after its use;

(e) That the City be reimbursed for any damages which may occur to the field and the two (2) adjacent golf courses; and

(f) That arrangements be cleared by the Parks and Recreation and Police Departments.

3. That the fire works display be conducted according to the requirements of the Fire Department of the City of Modesto as set forth in the memorandum from the Fire Chief to the City Manager dated May 31, 1973, a copy of which is attached hereto marked Exhibit "A" and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED that the City Clerk shall furnish Committee with a copy of this resolution. Committee shall file a written acceptance of this resolution and evidence of the required insurance with the City Clerk, and no right shall be conferred hereby until said acceptance and evidence of the required insurance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

Dpy. Mgr		Pub. Wks.	
Attorney	✓	Bldg Insp	
Clerk		Pks & Rec	
Fire		Pkg & Trf	
Police		Personnel	
Library		Planning	

Date: May 21, 1973

TO: City Manager

FROM: Fire Chief

SUBJECT: Fireworks Display - July 4, 1973 - Del Webb Field

Pursuant to the provisions of Section 12602 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 12603 of the Health and Safety Code for the public display of fireworks to be conducted by the 4th of July Celebration Committee at Del Webb Field July 4, 1973.

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 and parking during the arrival and departure of the citizens attending the display.

4. Modesto Fire Department be authorized to provide fire patrol services in the fallout area utilizing six off-duty Fire Department personnel and two reserve engine companies.

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.

C. Wayne Everett

CWE/jal
cc: City Attorney ✓

EXHIBIT "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 73-454

A RESOLUTION ACCEPTING THE CONSTRUCTION OF AN ARBOR IN MANCINI PARK (E. J. Opinski)

WHEREAS, a report has been filed by the Director of Public Works that the construction of an Arbor in Mancini Park has been completed by E. J. Opinski in accordance with the contract agreement dated February 5, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of an Arbor in Mancini Park be accepted from said contractor, E. J. Opinski that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $5,900.00 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 4th day of June, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Davies, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-455

A RESOLUTION ACCEPTING THE BID OF MATTESON CONSTRUCTION CO. FOR CONSTRUCTION OF AN ARBOR AT MARSHALL PARK

WHEREAS, Resolution No. 73-403 , adopted by the Council of the City of Modesto on May 14, 1973 , approved the plans and specifications for the construction of an Arbor at Marshall Park

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of an Arbor at Marshall Park

were opened at 10:10 A.M. on May 29, 1973 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 Matteson Construction Co. in the amount of $10,537.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Matteson Construction Co. in the amount of $10,537.00

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 4th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Davies, Newton

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-456

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING CO. FOR CONSTRUCTION OF IMPROVEMENTS OF CUL-DE-SAC AT NORTH END OF TIMOTHY AVENUE

WHEREAS, Resolution No. 73-402 , adopted by the Council of the City of Modesto on May 14, 1973 , approved the plans and specifications for the construction of improvements of Cul-de-sac at north end of Timothy Avenue
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of improvements of Cul-de-sac at north end of Timothy Avenue
were opened at 10:15 A.M. on May 29, 1973 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 Lee White Paving Co. in the amount of $11,970.50

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Co. in the amount of $11,970.50

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 4th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Davies, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-457

A RESOLUTION ACCEPTING THE BID OF MATTESON CONSTRUCTION CO. FOR CONSTRUCTION OF STAGE AT THE SENIOR CITIZENS CENTER

WHEREAS, Resolution No. 73-404 , adopted by the Council of the City of Modesto on May 14, 1973 , approved the plans and specifications for the construction of Stage at the Senior Citizens Center

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Stage at the Senior Citizens Center

were opened at 10:20 A.M. on May 29, 1973 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 Matteson Construction Co. in the amount of $7,252.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Matteson Construction Co. in the amount of $7,252.00

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 4th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-458

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $3,650 TO PROVIDE ADDITIONAL FUNDS NEEDED FOR THE CONSTRUCTION OF STAGE, SENIOR CITIZENS CENTER

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

SPECIAL FUND FOR CAPITAL OUTLAY(321)

FROM:	General Reserve (60-321)	$3,650
TO:	Sr. Citizen Center/Stage Storage (6244-31-321)	$3,650

(The amount budgeted for this project was insufficient, and this transfer is needed to cover the contract and the engineering costs)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/10-09

MODESTO CITY COUNCIL
RESOLUTION NO. 73-459

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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, and

WHEREAS, the Council, did, on May 14, 19 73, adopt its Resolution No. 73-408, 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, the Council did by said resolution, set the 4th day of June, 19 73, at 4:05 o'clock 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, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 73-408, and

WHEREAS, at the time set for hearing the protests and objections, if any, 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 incorporporated 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 Resolution No. 73-408 and 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 4th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/10-09

(a) Sidewalk along Sherwood Avenue at 1535 Sherwood Ave., Lot 10 of Block 6128. (Roy A. Amundson)

(b) Sidewalk along Sycamore Avenue and Griswold Ave. at 819 Sycamore Ave., a portion of Block 711. (Frank Buffa)

(c) Sidewalk at 710 Sycamore Ave., the north 70' of Lot 45, Block 709. (Darlene Fugitt)

(d) Sidewalk along Sherwood Ave. at 1525 Sherwood Ave., Lot 9 of Block 6127. (Alfredo K. Graza)

(e) Sidewalk at 711 Sycamore Ave., the south 59.64' of Lot 39 of Block 711. (Jack E. Goodwin)

(f) Sidewalk at 807 Sycamore Ave., a portion of Block 711. (Jack E. McCoy)

(g) Sidewalk at 715 Sycamore Ave., the north 105.5' of Lot 39, Block 711. (Elaine K. McIlree)

(h) Sidewalk at 808 Sycamore Ave., the north 55' of Lot 37 of Block 709. (Sybol J. Munson)

(i) Sidewalk along Sherwood Ave. and W. Orangeburg Ave. at 421 W. Orangeburg Ave., Lot 10 of Block 6063. (Mary Olarrea)

(j) Sidewalk along Sycamore Ave. at 820 Sycamore Ave., a portion of Block 709. (Mary R. Palmer)

(k) Sidewalk at 815 Sycamore Ave., a portion of Block 711. (Josephine Ruffino)

(l) Sidewalk at 431 Virginia Ave., Lot 1 & 2 of Block 453. (Valerio Rodoni)

(m) Sidewalk at 714 Sycamore Ave., a portion of Block 709. (Lee Schrencongost)

(n) Sidewalk at 801 Sycamore Ave., the south 82.5' of Lot 38 of Block 711. (Robert L. Sharyon)

(o) Sidewalk at 804 Sycamore Ave., a portion of Block 709. (Michael H. Smith)

(p) Sidewalk along Sherwood Ave. at 1545 Sherwood Ave., Lot 9 of Block 6128. (Richard T. Tosaw)

(q) Sidewalk at 712 Sycamore Ave., the south 55' of Lot 40 of Block 709. (Jessie V. Trueblood)

(r) Sidewalk at 720 Sycamore Ave., the south 55' of Lot 37 of Block 709. (Walter A. Willaims, Jr.)

(s) Sidewalk at 802 Virginia Ave., the south 60' of Lot 55 of Block 717. (David H. Wilson)

(t) Sidewalk at 439-41 W. Orangeburg Ave., Lot 13 of Block 6063. (Mary Elizabeth Balles)

(u) Sidewalk at 513-15 W. Orangeburg Ave., Lot 17 of Block 6063. (Philip M. Fearnside)

(v) Sidewalk at 501-03 W. Orangeburg Ave., Lot 15 of Block 6063. (Tracy E. Fearnside)

(w) Sidewalk at 507-09 W. Orangeburg Ave., Lot 16 of Block 6063. (Wendy A. Fearnside)

(x) Sidewalk along W. Orangeburg Ave. at 1340 Sycamore Ave., Lot 1-4 of Block 6056. (Laura M. Mattews)

(y) Sidewalk at 427-33 W. Orangeburg Ave., Lot 11 & 12 of Block 6063. (Roswell D. Roberts)

(z) Sidewalk at 445-47 W. Orangeburg Ave. Lot 14 of Block 6063. (Joe Serra)
(Drop from agenda - doing own work)

(aa) Sidewalk along W. Roseburg Ave., at 606 W. Roseburg Ave., a portion of Block 738. (L. K. Auernheimer)

(bb) Sidewalk at 712 W. Roseburg Ave., a portion of Block 739. (Thomas H. Berry)

(cc) Sidewalk at 230 W. Roseburg Ave., a portion of Block 744. (John S. Bosia)

(dd) Sidewalk at 226 W. Roseburg Ave., a portion of Block 744. (Elmer Breault, Jr.)
(Drop from agenda - doing own work)

(ee) Sidewalk along W. Roseburg Ave. at 1205 Enslen Ave., Lot 13 of Block 6006. (Della C. Brewer)

(ff) Sidewalk along W. Roseburg Ave. at 709 W. Roseburg Ave., Lot 8 of Block 6006. (Raymond E. Cover)

(gg) Sidewalk at 302 W. Roseburg Ave., a portion of Block 743. (Herbert J. Dobrovolny)

(hh) Sidewalk at 624 W. Roseburg Ave., a portion of Block 738. (Harold L. Erwin)

(ii) Sidewalk at 120-26 W. Roseburg Ave., a portion of Block 744. (Galas Brothers, Inc.)

(jj) Sidewalk at 206 W. Roseburg Ave., a portion of Block 744. (Stanley Galas)

(kk) Sidewalk along W. Roseburg Ave. at 1139 McHenry Ave., a portion of Block 744. (Robert E. Hill)

(ll) Sidewalk at 614 W. Roseburg Ave., a portion of Block 738. (Robert L. Hirsch)

(mm) Sidewalk along W. Roseburg Ave. at 520 W. Roseburg Ave., a portion of Block 740. (Attie E. Howe)
(Drop from agenda - doing own work)

(nn) Sidewalk at 205-23 W. Roseburg Ave. Lots 12-22 of Block 6000. (Ralph D. Hutchinson)

(oo) Sidewalk at 611 W. Roseburg Ave., Lot 11 of Block 6006. (Virgil L. Keck)

(pp) Sidewalk at 613 W. Roseburg Ave., Lot 10 of Block 6006. (Ronald V. Mancini)

(qq) Sidewalk at 704 W. Roseburg Ave., a portion of Block 739. (Harrey F. McCloud)

(rr) Sidewalk at 212 W. Roseburg Ave., a portion of Block 744. (Allan Miller)

(ss) Sidewalk at 124 W. Roseburg Ave., a portion of Block 744. (Patria F. Mora)

(tt) Sidewalk at 607 W. Roseburg Ave., the west 55' of Lot 12 of Block 6006. (Marjorie M. Sangestad)

(uu) Sidewalk at 605 W. Roseburg Ave., the east 50' of Lot 12 of Block 6006. (Melvin R. Sherman)

(vv) Sidewalk along W. Roseburg Ave. at 519 W. Roseburg Ave., Lot 5 of Block 6005. (Manuel R. Soares)
(Drop from agenda - doing own work)

(ww) Sidewalk at 705 W. Roseburg Ave., Lot 9 of Block 6006. (Francis Stenson)

(xx) Sidewalk along W. Roseburg Ave. at 516 W. Roseburg Ave., a portion of Block 740. (Barbara Anna Theis)
(Drop from agenda - doing own work)

(yy) Sidewalk along W. Roseburg Ave. at 1201 Brady Ave., Lot 4 of Block 6005. (Donald R. Weakly)

(zz) Sidewalk along W. Roseburg Ave. at 433 W. Roseburg Ave., Lot 28 of Block 6003. (John P. Williams)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-460

A RESOLUTION APPROVING THE REQUEST OF LOUISE FRALEY, 1024 HAWTHORNE, FOR REFUND OF EXCESS SEWER FEES

BE IT RESOLVED, by the Council of the City of Modesto that the request of Louise Fraley, 1024 Hawthorne, for refund of $10.35 for excess sewer fees paid the City for the period between August, 1969, through May, 1971, 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 June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-461

A RESOLUTION APPROVING BUDGETARY CHANGES FOR THE COMMUNITY RESPONSE TO DRUG ABUSE PROGRAM (HEAD REST, INC.)

WHEREAS, the City of Modesto has received a $59,320.00 grant from funds made available through the Omnibus Crime Control and Safe Street Act of 1968 administered by the California Council on Criminal Justice to continue a Community Response to Drug Abuse Program through Head Rest, Inc., and

WHEREAS, Head Rest, Inc. through a report dated May 24, 1973, a copy of which is attached hereto, from the Community Development and Human Affairs Coordinator to the City Manager has requested a change in its salary schedule and organizational structure, and

WHEREAS, an estimate of expenditures indicates that there will be a salary surplus at the end of the grant year, and

WHEREAS, the California Council on Criminal Justice has agreed to allow changes within categories as long as they do not increase the amount of grant funds,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the changes in salary schedule and organizational structure as set forth in the above referred to report, a copy of which is attached hereto.

BE IT FURTHER RESOLVED that the city staff and the Directors of Head Rest, Inc. are authorized to implement the changes authorized hereby.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynowth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

M E M O R A N D U M

May 24, 1973

TO: City Manager

FROM: Community Development and Human Affairs Coordinator

SUBJECT: Head Rest Personnel Changes

In June and July, a number of personnel changes will take place at Head Rest. Therefore, we will be involved in recruiting staff and making some changes in the overall organizational structure as we deem necessary.

One of our goals is to integrate the Head Rest staff who are involved in counseling and health services into the Mental Health department at the completion of the grant. Therefore, the Board of Directors of Head Rest has recommended that we rearrange the salary schedule to comply with the Mental Health salary schedule. In some cases, this will mean a decrease in salary; in other cases, this will mean an increase. I recommend that we comply with the Mental Health salary schedule as positions become vacant or for some other reason when it is convenient to do so.

A preliminary estimate of expenditures indicates that there will be approximately $1,800 in salary surplus at the end of the grant year. CCCJ has agreed to allow the grantee to make changes within categories as long as they do not increase the amount of grant funds. For this reason, I recommend the following changes:

1. It is recommended that the two one-half time counselors currently paid $4.06 an hour be reclassified as Mental Health Worker II. This would mean that they would be receiving approximately $3.20 an hour. It is recommended that one of the one-half time counselors be changed to three-quarter time beginning July 1. The other counselor would remain one-half time. The emphasis and workload justifies the increase in counselor time, and the additional cost will be minimal (approximately $50 a month).

2. The Board of Directors of Head Rest has recommended that with the surplus that two additional one-half time staff be employed at $200 a month beginning July 1. This change would allow Head Rest to continue its program at Modesto High School through the summer and would also reflect recommended changes in the grant application for the final year.

The above recommendations would decrease the surplus to approximately $450. This amount will provide enough cushion to take care of any contingencies problems between July 1 and the end of the grant year.

These changes require Council approval. I recommend that these changes take place. It will increase Head Rest's effectiveness without adding appreciably to the cost and will incur no additional cost to the City.

Lamar Bartholomew

LBB:jg

Copies - Clerk (10)
atty

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 462

A RESOLUTION WAIVING THE $25.00 PER DWELLING UNIT ANNUAL INCREASE IN THE BOND REDEMPTION CHARGE FOR THE 1973-74 FISCAL YEAR.

WHEREAS, Section 5-6.04 of the Modesto Municipal Code provides that each person owning property within the Modesto Municipal Sewer District No. 1 shall pay a bond redemption charge to the City for connecting to the sewage system, and

WHEREAS, subsection (a) of said Section 5-6.04 provides that the bond redemption charge per residential dwelling unit, mobile home or mobile home space in a mobile home park shall increase at the rate of $25.00 per dwelling unit annually on July 1st of each year, unless specifically waived for the year involved by resolution of the City Council, and

WHEREAS, the City staff has made a detailed review of revenue and expenditures and has recommended that the $25.00 increase be waived for the 1973-74

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that pursuant to the provisions of subsection (a) of Section 5-6.04 of the Modesto Municipal Code that it hereby waives the $25.00 increase for the 1973-74 fiscal year in the bond redemption charge for connecting residential dwelling units, mobile homes and mobile home spaces in mobile home parks to the sewage system.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger
Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-463

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND HAROLD AND WINNIFRED ROOKER AND ACCEPTING GRANT DEED (Needham Street Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Harold and Winnifred Rooker for the widening of Neeham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-463 A

A RESOLUTION APPROVING THE PLANNED USE REPORT FOR THE ENTITLEMENT PERIOD ENDING JUNE 30, 1973, FOR REVENUE SHARING FUNDS UNDER THE STATE AND LOCAL FISCAL ASSISTANCE ACT OF 1972.

WHEREAS, the State and Local Fiscal Assistance Act of 1972 requires each government recipient of revenue sharing funds to submit to the Department of the Treasury, Office of Revenue Sharing, a Planned Use Report for each entitlement period, and

WHEREAS, the first Planned Use Report covers the entitlement period ending June 30, 1973, and

WHEREAS, the State and Local Federal Assistance Act of 1972 requires each government to publish each Planned Use Report in a local newspaper of general circulation in addition to submitting said report to the Department of the Treasury, Office of Revenue Sharing,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the attached Planned Use Report for the entitlement period ending June 30, 1973, is hereby approved.

BE IT FURTHER RESOLVED that the planned expenditures for park development as listed in said report shall be for the following projects in the amounts specified:

Project No. 415	Dry Creek Land Acquisition	$100,000
Project No. 315	Davis Park Development Stage 6	80,000
Project No. 290	Downey Park Development Stage 6	80,000
Project No. 365	Beard Brook Sewer Connection	15,000
Project No. 327	Sutter Park Development Stage 1	80,000
Project No. 274	Marshall Park Development Stage 3	10,000
Project No. 385	Thousand Oaks Park Development Stage 2	9,540

BE IT FURTHER RESOLVED that the Council hereby directs that this resolution, including the attached Planned Use Report for the entitlement period ending June 30, 1973, be published in the Modesto Bee, the official newspaper of the City of Modesto.

BE IT FURTHER RESOLVED that the Council hereby directs that the Planned Use Report for the entitlement period ending June 30, 1973, a copy of which is attached hereto, be submitted to the Department of the Treasury, Office of Revenue Sharing, by June 20, 1973.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

OMB FORM 46-R0003
12-31-74

THIS PORTION TO BE RETURN' TO

DEPARTMENT OF THE TREASURY
OFFICE OF REVENUE SHARING
1900 PENNSYLVANIA AVE. N.W.
WASHINGTON, D.C. 20226

THE GOVERNMENT OF

MODESTO CITY

PLANS TO EXPEND ITS REVENUE SHARING ALLOCATION FOR THE ENTITLEMENT PERIOD BEGINNING

JAN 1, 1973 AND ENDING JUN 30, 1973

IN THE FOLLOWING MANNER BASED UPON AN

ESTIMATED TOTAL OF $ 374,540

ACCOUNT NO
05 2 050 002

MODESTO CITY
DIRECTOR OF FINANCE
801 11TH STREET
MODESTO CALIFORNIA 95354

(K) [X] EXECUTIVE PROPOSAL. Check this block if this plan is based on an executive proposal

(L) DEBT How will the availability of revenue sharing funds affect the borrowing requirements of your jurisdiction?

- [ ] AVOID DEBT INCREASE
- [ ] LESSEN DEBT INCREASE
- [ ] NO EFFECT
- [X] TOO SOON TO PREDICT EFFECT

(M) TAXES In which of the following manners is it expected that the availability of Revenue Sharing Funds will affect the tax levels of your jurisdiction? Check as many as apply.

- [ ] WILL ENABLE REDUCING RATE OF A MAJOR TAX.
- [ ] WILL PREVENT INCREASE IN RATE OF A MAJOR TAX
- [ ] WILL PREVENT ENACTING A NEW MAJOR TAX
- [ ] WILL REDUCE AMOUNT OF RATE INCREASE OF A MAJOR TAX.
- [ ] NO EFFECT ON TAX LEVELS
- [X] TOO SOON TO PREDICT EFFECT

RETURN THIS PORTION TO DEPT. OF TREASURY

OPERATING/MAINTENANCE EXPENDITURES

PRIORITY EXPENDITURE CATEGORIES (A)	PLANNED EXPENDITURES (B)	PERCENT PLANNED FOR MAINTENANCE OF EXISTING SERVICES (C)	PERCENT PLANNED FOR NEW OR EXPANDED SERVICES (D)
1 PUBLIC SAFETY	$	%	%
2 ENVIRONMENTAL PROTECTION	$	%	%
3 PUBLIC TRANSPORTATION	$	%	%
4 HEALTH	$	%	%
5 RECREATION	$	%	%
6 LIBRARIES	$	%	%
7 SOCIAL SERVICES FOR AGED & POOR	$	%	%
8 FINANCIAL ADMINISTRATION	$	%	%
9 TOTAL PLANNED OPERATING/MAINTENANCE EXPENDITURES	$		

CAPITAL EXPENDITURES

EXPENDITURE CATEGORIES E	PLANNED EXPENDITURES F	PERCENT PLANNED FOR: EQUIPMENT G	CONSTRUCTION H	LAND ACQUISITION I	DEBT RETIREMENT J
10 MULTI-PURPOSE AND GENERAL GOVT.	$	%	%	%	%
11 EDUCATION	$	%	%	%	%
12 HEALTH	$	%	%	%	%
13. TRANSPORTATION	$	%	%	%	%
14. SOCIAL DEVELOPMENT	$	%	%	%	%
15 HOUSING & COMMUNITY DEVELOPMENT	$	%	%	%	%
16 ECONOMIC DEVELOPMENT	$	%	%	%	%
17 ENVIRONMENTAL CONSERVATION	$	%	%	%	%
18 PUBLIC SAFETY	$	%	%	%	%
19 RECREATION CULTURE	$	%	%	%	%
20 OTHERS (Specify) Park Development	$ 374,540	- %	73.3 %	26.7 %	%
21 OTHERS (Specify)	$	%	%	%	%
22 OTHERS (Specify)	$	%	%	%	%
23 OTHERS (Specify)	$	%	%	%	%
24 OTHERS (Specify)	$	%	%	%	%
25 TOTAL PLANNED CAPITAL EXPENDITURES	$ 374,540				

I have advised a local newspaper and the news media of the contents of this report. Furthermore I have records documenting the contents of this report and they are open for public and news media scrutiny.

John C. Keefe

SIGNATURE OF CHIEF EXECUTIVE OFFICER

John C. Keefe, City Manager

NAME & TITLE — PLEASE PRINT

June 8, 1973

DATE PUBLISHED

Modesto Bee

NAME OF NEWSPAPER

THIS PORTION TO BE RETURNED TO THE DEPT. OF THE TREASURY

FORM NO. 3223

MODESTO CITY COUNCIL
RESOLUTION NO. 73-464

A RESOLUTION APPROPRIATING NINE THOUSAND AND NO/100THS ($9,000.00) DOLLARS IN THE GAS, OIL & LUBRICANTS ACCOUNT (ACCOUNT NO. 330) FROM THE REVOLVING FUND BALANCE OF THE SERVICE DIVISION REVOLVING FUND (FUND NO. 512).

WHEREAS, the sum of Nine Thousand and no/100ths ($9,000.00) Dollars is available in the Revolving Fund balance of the Service Division Revolving Fund (Fund No. 512), and

WHEREAS, the Council desires to appropriate said sum to cover additional purchases of gas, oil and lubricants for the balance of the 1972-73 fiscal year,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Nine Thousand and no/100ths ($9,000.00) Dollars be and is hereby appropriated in the account Gas, Oil and Lubricants (Account No. 330) from the Revolving Fund balance of the Service Division Revolving Fund (Fund No. 512).

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 4th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-465

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $60,000 TO PROVIDE ADDITIONAL FUNDS NEEDED FOR NEW SUBDIVISION ACTIVITY

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

GENERAL RESERVE (101)

FROM:	General Reserve (60-101)	$60,000
TO:	Waterline extension (6804-50-101)	$60,000

(New subdivision activity for the fiscal year 1972-73 will require additional funds to cover anticipated encumberances)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-466

A RESOLUTION APPOINTING MEMBER OF THE MODESTO YOUTH COMMISSION (Ramona Carlos - Central Catholic High School)

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 Modesto Youth Commission for the respective term as indicated:

Ramona Carlos
1715 Carlton
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member 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 June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-467

A RESOLUTION APPOINTING MEMBER OF THE MODESTO YOUTH COMMISSION (Peter Hausknecht - Downey High School)

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 Modesto Youth Commission for the respective term as indicated:

Peter Hausknecht
3449 Wycliffe Drive
Modesto, California

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member 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 June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-468

A RESOLUTION APPOINTING MEMBER OF THE MODESTO YOUTH COMMISSION (Charlotte Ott - Modesto High School)

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 Modesto Youth Commission for the respective term as indicated:

Charlotte Ott
2437 Baker Road
Modesto, California 95351

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member 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 June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-469

A RESOLUTION APPOINTING MEMBER OF THE PERSONNEL COMMISSION FOR A TERM ENDING JANUARY 1, 1975 (James Morgenson)

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 Personnel Commission for the respective term as indicated: (Term ending January 1, 1975)

James Morgenson
1017 Lexington Drive
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Personnel 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 June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-470

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF A & L INVESTMENT CO. TO APPEAL THE BOARD OF ZONING ADJUSTMENT'S DENIAL OF AMENDMENT TO H-1 USE PERMIT TO ALLOW LONGER HOURS OF OPERATION FOR COMMERCIAL ESTABLISHMENTS ON WEST SIDE OF McHENRY NORTH OF BOWEN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 9, 1973, 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 request of A & L Investment Co. to appeal the Board of Zoning Adjustment's denial of amendment to H-1 Use Permit to allow longer hours of operation for commercial establishments on west side of McHenry north of Bowen.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-471

A RESOLUTION AMENDING RESOLUTION NO. 71-355 TO PERMIT A TWO-YEAR EXTENSION OF TIME FOR REMOVAL OF TEMPORARY FENCE ACROSS LADONA COURT IN GRANADA PARK SUBDIVISION

WHEREAS, by Resolution No. 71-355, a revocable encroachment permit was granted to Price Enterprises by the Council of the City of Modesto on April 26, 1971, to construct a temporary, decorative fence across Ladona Court in Granada Park Subdivision for a two-year period ending April 25, 1973; and

WHEREAS, Mid-Valley Engineering, in a letter dated June 4, 1973, has asked that the fence across Ladona Court in Granada Park Subdivision be permitted to remain for a further two-year period, namely, through April 25, 1975.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Price Enterprises for an extension of time for removal of a temporary-decorative fence across Ladona Court in Granada Park Subdivision is approved, and Resolution No. 71-355 is amended to extend the time for removal of the fence to April 25, 1975.

BE IT FURTHER RESOLVED that all other conditions of Resolution No. 71-355 are to 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 11th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-472

A RESOLUTION ACCEPTING THE BID OF ELRICH CONSTRUCTION CO. FOR CONSTRUCTION OF TENNIS COURTS AT DOWNEY PARK

WHEREAS, Resolution No. 73-421 , adopted by the Council of the City of Modesto on May 21, 1973 , approved the plans and specifications for the construction of tennis courts at Downey Park

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of tennis courts at Downey Park

were opened at 10:00 A.M. on June 5, 1973 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 Elrich Construction Co. in the amount of $81,987.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Elrich Construction Co. in the amount of $81,987.00

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 11th day of June, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-473

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN BONNIE LEE ESTATES, COFFEE PLAZA #7, COFFEE PLAZA #8, McHENRY ESTATES #3 AND RIEDEL ESTATES #2

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

SECTION 1. The plans and specifications for installation of waterlines in Bonnie Lee Estates, Coffee Plaza #7, Coffee Plaza #8, McHenry Estates #3 and Riedel Estates #2 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 26, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-474

A RESOLUTION ACCEPTING THE BID OF JONES CHEMICALS, INC. TO FURNISH ANNUAL REQUIREMENTS OF LIQUID CHLORINE FOR THE 1973-74 FISCAL YEAR

WHEREAS, Resolution No. 73-357 , adopted by the Council of the City of Modesto on May 7, 1973 , approved the plans and specifications for the furnishing of annual requirements of Liquid Chlorine for the 1973-74 fiscal year
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of annual requirements of Liquid Chlorine for the fiscal year 1973-74
were opened at 2:20 P.M. on May 22, 1973 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 $116.41 per ton delivered

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 $116.41 per ton delivered
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 June, 19 73 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-475

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. TO FURNISH ANNUAL REQUIREMENTS OF LIQUID AND EMULSIFIED ASPHALT FOR THE 1973-74 FISCAL YEAR

WHEREAS, Resolution No. 73-358 , adopted by the Council of the City of Modesto on May 7, 1973 , approved the plans and specifications for the furnishing of annual requirements of Liquid and Emulsified Asphalt for the 1973-74 fiscal year and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of annual requirements of Liquid and Emulsified Asphalt for the 1973-74 fiscal year were opened at 2:30 P.M. on May 22, 1973 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 George Reed, Inc. at an estimated cost of $20,744.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. at an estimated cost of $20,744.00

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 11th day of June, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-476

A RESOLUTION ACCEPTING THE BID OF ALLIED CONCRETE AND SUPPLY CO., INC. TO FURNISH ANNUAL REQUIREMENTS OF READY-MIXED CONCRETE FOR FISCAL YEAR 1973-74

WHEREAS, Resolution No. 73-356 , adopted by the Council of the City of Modesto on May 7, 1973 , approved the plans and specifications for the furnishing of annual requirements of Ready-mixed Concrete for fiscal year 1973-74
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of annual requirements of Ready-mixed Concrete for fiscal year 1973-74
were opened at 2:10 P.M. on May 22, 1973 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 Allied Concrete and Supply Co., Inc. at an estimated cost of $9,645.00
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Allied Concrete and Supply Co., Inc. at an estimated cost of $9,645.00
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 11th day of June, 19 73 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73708-10

MODESTO CITY COUNCIL
RESOLUTION NO. 73-477

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO (1550 Encina Ave., Lot 1 of Block 2129 - Jerold J. Pitts) (Continued from May 7, 1973)

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, and

WHEREAS, the Council, did, on April 16, 1973, adopt its Resolution No. 73-310, 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, the Council did by said resolution, set the 7th day of May, 1973, at 4:15 o'clock 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, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 73-310, and

WHEREAS, at the time set for hearing the protests and objections, if any, 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 incorporporated 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 Resolution No. 73-310 and 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 11th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-478

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIS KLEINENBROICH, DBA MODESTO MOTOR BUS SERVICE, FOR PASSENGER BUS SERVICE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Willis Kleinenbroich, dba Modesto Motor Bus Service for passenger bus service (for period of June 1 - October 31, 1973) 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 June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-479

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,400 TO PROVIDE FUNDS NEEDED FOR OPERATION OF BUSES FOR THE MONTH OF JUNE, 1973

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$1,400
TO:	Transportation Subsidy (232-65-101)	$1,400

(To provide funds for operation of buses for the month of June, 1973 per new City Council-approved contract)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-480
REVISED LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND CARL W. LEWIS AND EDYTHA LEWIS for PARKING LOT AT 9TH AND J STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the/agreement (revised lease) between the City of Modesto and Carl W. Lewis and Edytha Lewis for parking lot at 9th and J Streets (next to Lotus Restaurant) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement (revised lease) 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 June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-481

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR COMMUNITY RECREATION FOR FISCAL YEAR 1972-73

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County of Stanislaus

for community recreation for fiscal year 1972-73

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 June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 482

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS AND UNCLAIMED 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 items of personal property of the City of Modesto as shown on that certain document entitled "Surplus Property Listing Sheet" dated May 15, 1973, on file in the Office of the City Clerk. Said personal property has been found to be surplus and of no use to the City.

SECTION 2. The City Manager is hereby authorized and directed to sell those certain items of personal property now in the possession of the Police Department, which have been unclaimed for a period of at least six (6) months, or which are confiscated items and have been in the possession of the Police Department for a period of at least six (6) months, as shown on that certain document entitled "List of Unclaimed or Confiscated Property Held by the Police Department" dated May 15, 1973, which document is on file in the Office of the City Clerk.

SECTION 3. The foregoing sales shall be made at public auction in the City of Modesto. The City Manager is hereby authorized to fix the time and place for said sales. At least five (5) days before the time fixed for each 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 sales shall be conducted by the City Manager or by such person as he may select for this purpose. All items of property not sold at said auction sales 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 June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Dunlap, Simon

(SEAL) ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-483

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND KEITH R. AND BARBARA J. DAMON FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3404 KINGSPOINT DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Keith R. and Barbara J. Damon for sewer service to property outside the City at 3404 Kingspoint 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 June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-484

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MICHAEL AND OLIVE KELLY AND ACCEPTING GRANT DEED (Needham Street Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Michael and Olive Kelly for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-485

AMENDMENT TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, RESOURCES AGENCY, DEPARTMENT OF PARKS AND RECREATION, FOR LAND ACQUISITION, TUOLUMNE RIVER REGIONAL PARK (Project No. 850-203)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to/agreement between the City of Modesto and State of California, Resources Agency, Department of Parks and Recreation for land acquisition, Tuolumne River Regional Park

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 11th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-486

COOPERATIVE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR THE CONSTRUCTION OF COFFEE ROAD FROM BRIGHTON AVENUE TO BRIGGSMORE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto
cooperative
that the/agreement between the City of Modesto and County of Stanislaus for the construction of Coffee Road from Brighton Avenue to Briggsmore Avenue (Included in C.I.P. for 1972-73) be, and it is hereby approved.

cooperative
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 June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-487

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS AND STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, FOR INSTALLATION OF LEFT-TURN SIGNALS AT MAZE AND CARPENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County of Stanislaus and State of California, Department of Public Works, Division of Highways, for installation of left-turn signals at Maze and Carpenter (City share is 12.5%, budgeted in 1973-74 C.I.P.) 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 June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-488

A RESOLUTION APPROVING THE REQUEST OF SPROUSE REITZ COMPANY, INC. FOR REFUND FOR OVERPAYMENT OF MILL TAX

BE IT RESOLVED, by the Council of the City of Modesto that the request of Sprouse Reitz Company, Inc. for refund of $1,580.79 for overpayment of mill tax for the quarter ended March 31, 1973 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 June, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-489

A RESOLUTION APPROVING COOPERATIVE AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR THE IMPROVEMENT OF CROWS LANDING ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the cooperative agreement between the City of Modesto and County of Stanislaus for the improvement of Crows Landing Road be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said cooperative 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 June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-490

A RESOLUTION APPROVING AND ACCEPTING LICENSE FROM TIDEWATER SOUTHERN RAILWAY TO CONSTRUCT A WATERLINE IN RUMBLE ROAD UNDER THE TIDEWATER SOUTHERN RAILWAY TRACKS

BE IT RESOLVED by the Council of the City of Modesto that it hereby approves and accepts a license from Tidewater Southern Railway to permit the construction of a waterline in Rumble Road under the Tidewater Southern Railway tracks.

BE IT FURTHER RESOLVED that the City Manager is authorized to sign the license on behalf 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 11th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-491

A RESOLUTION ACCEPTING DEDICATION OF RIGHT OF WAY AND STREET IMPROVEMENTS FOR BYRON LANE

WHEREAS, Byron Lane was constructed as a private street under Planned Development (13); and

WHEREAS, the developers, Byron Lane Courts, Inc. have brought the street improvements to current subdivision standards and have requested that the City of Modesto accept the street dedication and accept the street improvements for maintenance.

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

1. The right of way deed dedicating Byron Lane to the City of Modesto is hereby accepted.

2. Byron Lane street improvements are hereby accepted for city maintenance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-492
MEMORANDUM OF UNDERSTANDING

A RESOLUTION APPROVING ~~AGREEMENT~~ BETWEEN THE CITY OF MODESTO AND MODESTO POLICE ASSOCIATION AND AUTHORIZING STAFF TO IMPLEMENT THE PROVISIONS THEREOF

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the memorandum of understanding between the City of Modesto and Modesto Police Association for salary and fringe benefits (salary effective June 26, 1973) 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 11th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-493

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF PARK PLACE NO. 1, 2 AND 3 SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-54, adopted June 5, 19 73, approved the tentative map of Park Place No. 1, 2 and 3 Subdivision, and

WHEREAS, the approval by the Planning Commission of the tentative map of Park Place No. 1, 2 and 3 Subdivision was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed Park Place No. 1, 2 and 3 Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 11th day of June, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-494

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF ROMANO ESTATES NO. 1, 2 AND 3 SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-55, adopted June 5, 19 73, approved the tentative map of ROMANO ESTATES NO. 1, 2 and 3 SUBDIVISION, and

WHEREAS, the approval by the Planning Commission of the tentative map of ROMANO ESTATES NO. 1, 2 and 3 SUBDIVISION was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed ROMANO ESTATES NO. 1, 2 and 3 Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 11th day of June, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-495

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF HAVENBROOK PARK NO. 1 AND 2 SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-56, adopted June 5, 19 73, approved the tentative map of HAVENBROOK PARK NO. 1 AND 2 SUBDIVISION, and

WHEREAS, the approval by the Planning Commission of the tentative map of HAVENBROOK PARK NO. 1 AND 2 SUBDIVISION was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed HAVENBROOK PARK NO. 1 AND 2 Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 11th day of June, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-496

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF BISPO-NICKERSON INDUSTRIAL PARK SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. _____, adopted _____, 19____, approved the tentative map of BISPO-NICKERSON INDUSTRIAL PARK SUBDIVISION, and

WHEREAS, the approval by the Planning Commission of the tentative map of BISPO-NICKERSON INDUSTRIAL PARK SUBDIVISION was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed BISPO-NICKERSON INDUSTRIAL PARK Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 11th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-497

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,129 TO PROVIDE FUNDS - SALARIES - STANISLAUS STATE COLLEGE

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$1,129
TO:	Salaries, Part time (120-17-101)	$1,129

(To cover funds not deposited into Account 120 when received from the State College as reimbursements on salaries paid out of the City budget to student interns during current fiscal year)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-498

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $3,000 TO PROVIDE FUNDS FOR THE MAINTENANCE AND REPAIR OF STREET LIGHTS AND TRAFFIC SIGNALS

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$3,000
TO:	Street Lights & Signals (320-43-101)	$3,000

(To provide funds for the maintenance and repair of street lights and traffic signals. See Memo dated June 7, 1973 for further details)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-499

A RESOLUTION APPOINTING MEMBERS OF THE HUMAN RIGHTS COMMISSION FOR A TERM ENDING MAY 1, 1976 (Ed Bean and Keith Thurston)

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 Human Rights Commission for the respective term as indicated: (Term ending May 1, 1976)

Ed Bean
1020 Morton Avenue
Modesto, California 95354

Keith Thurston (Reappointed)
632 Colfax
Modesto, California 95351

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Human Rights 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 June, 1973, by Councilman Mensinger, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-500

A RESOLUTION AMENDING RESOLUTION NO. 73-99 TO PERMIT A NINETY-DAY EXTENSION OF TIME FOR REMOVAL OF A 42"-HIGH FENCE ON ROSE AVENUE ALONG THE FRONTAGE OF THE MODEL HOMES OF COFFEE PLAZA NO. 6 SUBDIVISION

WHEREAS, by Resolution No. 73-99, a revocable encroachment permit was granted to Valley Construction Co. by the Council of the City of Modesto on January 22, 1973, for permission to allow a 42"-high fence to remain in the public right of way adjacent to an existing 5' sidewalk on Rose Avenue, along the frontage of the model homes of Coffee Plaza No. 6 Subdivision; and

WHEREAS, Valley Construction Co., in a letter dated June 11, 1973, has asked that the fence on Rose Avenue along the frontage of the model homes of Coffee Plaza No. 6 Subdivision be permitted to remain for a further ninety-day period, namely, through October 31, 1973.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Valley Construction Co. for an extension of time for removal of a 42"-high fence on Rose Avenue along the frontage of the model homes of Coffee Plaza No. 6 Subdivision is approved, and Resolution No. 73-99 is amended to extend the time for removal of the fence to October 31, 1973.

BE IT FURTHER RESOLVED that all other conditions of Resolution No. 73-99 are to 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 18th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-501

A RESOLUTION GRANTING REQUEST OF CALVARY LUTHERAN CHURCH YOUTH GROUP FOR TEMPORARY USE OF ON-STREETPARKING SPACES DURING FOURTH OF JULY PARADE

WHEREAS, Calvary Lutheran Church Youth Group has requested permission to use on-street parking spaces during the Fourth of July Parade.

NOW, THEREFORE, BE IT RESOLVED that the request of Calvary Lutheran Church Youth Group for the use of on-street parking spaces during the Fourth of July Parade is hereby granted; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized to issue a permit to Calvary Lutheran Church Youth Group for said use with the stipulation that the permit shall include, but not be limited to, the conditions listed in Section 3-2.1705 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 June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chyngweth
W. T. CHYNGWETH, City Clerk

1

MODESTO CITY COUNCIL
RESOLUTION NO. 73-502

A RESOLUTION GRANTING REQUEST OF ELOISE LOPEZ FOR TEMPORARY USE OF ON-STREET PARKING SPACES DURING FOURTH OF JULY PARADE

WHEREAS, Eloise Lopez has requested permission to use on-street parking spaces during the Fourth of July Parade.

NOW, THEREFORE, BE IT RESOLVED that the request of Eloise Lopez for the use of on-street parking spaces during the Fourth of July Parade is hereby granted; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized to issue a permit to Eloise Lopez for said use with the stipulation that the permit shall include, but not be limited to, the conditions listed in Section 3-2.1705 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 June, 1973, By Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-503

A RESOLUTION GRANTING REQUEST OF JUAN E. LOPEZ FOR TEMPORARY USE OF ON-STREET PARKING SPACES DURING FOURTH OF JULY PARADE

WHEREAS, Juan E. Lopez has requested permission to use on-street parking spaces during the Fourth of July Parade.

NOW, THEREFORE, BE IT RESOLVED that the request of Juan E. Lopez for the use of on-street parking spaces during the Fourth of July Parade is hereby granted; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized to issue a permit to Juan E. Lopez for said use with the stipulation that the permit shall include, but not be limited to, the conditions listed in Section 3-2.1705 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 June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-504

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR INSTALLATION OF WATERLINES IN DALE ROAD, NORTHRIDGE #1, SMOKE TREE NO. 1 AND APPLEGATE #4 SUBDIVISIONS

WHEREAS, Resolution No. 73-405 , adopted by the Council of the City of Modesto on May 14, 1973 , approved the plans and specifications for the installation of waterlines in Dale Road, Northridge #1, Smoke Tree #1 and Applegate #4 Subdivisions and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Dale Road, Northridge #1, Smoke Tree #1 and Applegate #4 Subdivisions were opened at 10:00 A.M. on May 29, 1973 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 Joe Martin in the amount of $23,412.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $23,412.00

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 18th day of June, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-505

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUBTRUNK SEWER IN SYLVAN AVENUE AND ROAD EAST OF BEYER HIGH (Marvin Yadon Construction)

WHEREAS, a report has been filed by the Director of Public Works that the construction of subtrunk sewer in Sylvan Avenue and Road East of Beyer High has been completed by Marv Yadon Construction

in accordance with the contract agreement dated April 2, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of subtrunk sewer in Sylvan Avenue and Road East of Beyer High be accepted from said contractor, Marv Yadon Construction

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $24,940.40 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 18th day of June, , 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-506

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE IMPROVEMENT OF PARADISE AVENUE AND "H" STREET FROM FRANKLIN STREET TO FIRST STREET

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

SECTION 1. The plans and specifications for the Improvement of Paradise Avenue and "H" Street from Franklin Street to First Street 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 10,1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-507

A RESOLUTION ACCEPTING THE CONSTRUCTION OF INSTALLATION OF WATERLINES IN DAISY PARK NO. 2 (Joe Martin)

WHEREAS, a report has been filed by the Director of Public Works that the construction of installation of waterlines in Daisy Park No. 2 has been completed by Joe Martin

in accordance with the contract agreement dated February 5, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of installation of waterlines in Daisy Park No. 2 be accepted from said contractor, Joe Martin

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $10,464.00 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 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-508

A RESOLUTION ACCEPTING THE BID OF WESTERN PIPELINE COMPANY FOR INSTALLATION OF WATERLINES IN CARPENTER ROAD FROM MAZE TO ELM

WHEREAS, Resolution No. 73-438 , adopted by the Council of the City of Modesto on May 29, 1973 , approved the plans and specifications for the installation of waterlines in Carpenter Road from Maze to Elm
and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Carpenter Road from Maze to Elm
were opened at 10:15 A.M. on June 12, 1973 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 Western Pipeline Company in the amount of $5,844.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Western Pipeline Company in the amount of $5,844.00

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 18th day of June, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-509

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR TRAFFIC LINE PAINT FOR A ONE-YEAR PERIOD

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

SECTION 1. The plans and specifications for traffic line paint for a one-year period

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 3, 1973 at 2:15 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-510

A RESOLUTION ACCEPTING THE BID OF GRISWOLD & WIGHT TO FURNISH ONE GARDEN REFUSE TRUCK

WHEREAS, Resolution No. 73-400 , adopted by the Council of the City of Modesto on May 14, 1973 , approved the plans and specifications for the furnishing of one garden refuse truck

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one garden refuse truck

were opened at 2:00 P.M. On June 5, 1973 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 Griswold & Wight at an estimated cost of $9,400.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Griswold & Wight at an estimated cost of $9,400.00

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 18th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-511

A RESOLUTION ACCEPTING THE BID OF M. J. RUDDY AND SON FOR AGGREGATE BASE MATERIAL AND CRUSHED ROCK SCREENINGS FOR A ONE YEAR PERIOD, ENDING JUNE 30, 1974

WHEREAS, Resolution No. 73-355 , adopted by the Council of the City of Modesto on May 7, 1973 , approved the plans and specifications for the furnishing of Aggregate Base Material and Crushed Rock Screenings for a one-year period, ending June 30, 1974 and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of Aggregate Base Material and Crushed Rock Screenings for a one-year period, ending June 30, 1974 were opened at 2:00 P.M. on May 22, 1973 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 M. J. Ruddy & Son for Aggregate base material at $2.35 per ton and Crushed Rock screenings at $3.70 per ton 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. J. Ruddy & Son for Aggregate base material at $2.35 per ton and Crushed rock screenings at $3.70 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 18th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-512

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR FURNISHING FILL SAND AND DRAIN ROCK FOR A ONE-YEAR PERIOD, ENDING JUNE 30, 1974

WHEREAS, Resolution No. 73-355 , adopted by the Council of the City of Modesto on May 7, 1973 , approved the plans and specifications for the furnishing of Fill sand and Drain rock for a one-year period, ending June 30, 1974
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of Fill sand and Drain rock for a one-year period, ending June 30, 1974
were opened at 2:00 P.M. on May 22, 1973 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 Flintkote Company for Fill sand (small loads) at $2.40/ton and (large loads) at $1.95/ton and Drain rock at $2.50/ton
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 for Fill sand (small loads) at $2.40/ton and (large loads) at $1.95/ton and Drain rock at $2.50/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 18th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-513

A RESOLUTION ACCEPTING THE BID OF PUTNAM SAND & GRAVEL CO. TO FURNISH WHITE PLASTER SAND, CONCRETE MIX AGGREGATE AND CONCRETE FINE AGGREGATE FOR A ONE-YEAR PERIOD, ENDING JUNE 30, 1974

WHEREAS, Resolution No. 73-355 , adopted by the Council of the City of Modesto on May 7, 1973 , approved the plans and specifications for the furnishing of White plaster sand, Concrete mix aggregate and Concrete fine aggregate for a one-year period, ending June 30, 1974 and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of White plaster sand, Concrete mix aggregate and Concrete fine aggregate for a one-year period, ending June 30, 1974 were opened at 2:00 P.M. on May 22, 1973 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 Putnam Sand & Gravel Co. for White plaster sand at $3.48/ton, Concrete mix aggregate at $2.45/ton and Concrete fine aggregate at $260/ton be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Putnam Sand & Gravel Co. for White plaster sand at $3/48/ton, Concrete mix aggregate at $2.45/ton and Concrete fine aggregate at $2.60/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 18th day of June, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-514

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF NEW CLUBHOUSE AT DEL WEBB FIELD

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

SECTION 1. The plans and specifications for construction of new clubhouse at Del Webb Field
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 3, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-515

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING CO. FOR CONSTRUCTION OF CURB AND GUTTER AT BEARD BROOK PARK

WHEREAS, Resolution No. 73-434 , adopted by the Council of the City of Modesto on May 29, 1973 , approved the plans and specifications for the construction of curb and gutter at Beard Brook Park

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of curb and gutter at Beard Brook Park

were opened at 10:10 A.M. on June 12, 1973 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 Lee White Paving Co. in the amount of $10,620.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Co. in the amount of $10,620.00

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 18th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-515-A

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $4,570 TO/PROVIDE FUNDS NECESSARY TO COVER COST OF CONSTRUCTION OF CURB AND GUTTER AT BEARD BROOK PARK

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (60-321)	$4,570
TO:	Beard Brook Park (6242-31-321)	$4,570

(This transfer is necessary to cover the cost of the project)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-516

A RESOLUTION DENYING THE APPEAL OF GOLDEN WEST SAVINGS AND LOAN ASSOCIATION TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING A CONDITIONAL USE PERMIT TO THE FEDERAL SIGN AND SIGNAL CORPORATION FOR A FREE-STANDING SIGN TO ADVERTISE AND IDENTIFY THE GOLDEN WEST SAVINGS AND LOAN ASSOCIATION BUILDING LOCATED AT 2509 MC HENRY AVENUE, AND AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, an application for a conditional use permit in the H-1 Zone to allow a free-standing sign to advertise and identify the Golden West Savings and Loan Association building at 2509 McHenry Avenue on the west side of McHenry Avenue south of Floyd Avenue was filed by the Federal Sign and Signal Corporation on April 5, 1973, and

WHEREAS, Section 10-2.2904 (a) of the Modesto Municipal Code authorizes the granting of conditional use permits in the H-1 Zone by the Board of Zoning Adjustment after public hearing, and

WHEREAS, Section 10-2.2906 of the Modesto Municipal Code authorizes the Board of Zoning Adjustment to allow a free-standing sign subject to certain specific findings outlined therein, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on April 26, 1973, at 10:00 o'clock a.m. in the City Council Chambers, City Hall, 801 11th Street, Modesto, at which time the Board of Zoning Adjustment by Resolution No. 476 found and determined that granting a conditional use permit in the H-1 Zone for a free-standing sign to identify and advertise the Golden West Savings and Loan Association building at 2509 McHenry Avenue was not required by public necessity, convenience, and general welfare for the following reasons:

1. The subject Golden West Savings and Loan Association building is in a prominent frontage location on McHenry Avenue.

2. The Golden West Savings and Loan Association building can be adequately identified by other signs permitted in the H-1 Zone, such as wall signs, canopy signs, and free-standing directional signs,

and

WHEREAS, the Board of Zoning Adjustment by its said Resolution No. 476 referred to above, denied the application of Federal Sign and Signal Corporation for a conditional use permit in the H-1 Zone to allow a free-standing sign to advertise and identify the Golden West Savings and Loan Association building at 2509 McHenry Avenue, Modesto, California, and

WHEREAS, Golden West Savings and Loan Association, in a letter written by Federal Sign & Signal Corporation, filed an appeal with the City Clerk of the City of Modesto on May 8, 1973, to the decision of the Board of Zoning Adjustment denying the application for a conditional use permit in the H-1 Zone to allow a free-standing sign to advertise and identify the Golden West Savings and Loan Association building at 2509 McHenry Avenue, Modesto, California, 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 4:00 o'clock p.m. on June 4, 1973, at which time said hearing was continued to June 18, 1973, at 4:00 o'clock p.m., at which time said hearing was held and 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 Board of Zoning adjustment denying a conditional use permit to the Federal Sign and Signal Corporation for a free-standing sign to advertise and identify the Golden West Savings and Loan Association Building located at 2509 Mc Henry Avenue is hereby denied for the reasons set forth in Board of Zoning Adjustment Resolution No. 476 and quoted above.

BE IT FURTHER RESOLVED that the decision of the Board of Zoning Adjustment denying the conditional use permit referred to above is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-517

A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS BECKWITH NO. 1 ADDITION AND DECLARING THE INTENTION OF THE COUNCIL TO PROCEED WITH THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 73-388, adopted on May 7, 1973, the Council fixed the 18th day of June, 1973, at the hour of 4:30 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 considering the proceedings initiated by the Council of the City of Modesto, on its own motion, to annex the hereinafter described territory to said City, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 73-388 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and in the Ceres Courier, a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus, said publications being completed at least twenty (20) days prior to the date set for the hearing, as required by Section 35311 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and no person owning real property within such territory appeared at said time and place to protest said annexation, but two written protests were filed prior to final adjournment of the hearing on protests to the proposed annexation, which said written protests represented less than eight (8%) per cent of the value of the territory proposed to be annexed as shown by the last equalized assessment roll.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that a majority protest against the proposed annexation of said BECKWITH NO. 1 Addition has not been made and hereby declares its intention to

proceed with the annexation of said territory, on its own motion, which territory is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Newton, Simon, Mayor Davies
NOES:	Councilmen:	Mensinger
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By_____
Public Works Department

March 15, 1973

Corrected April 18, 1973
Revised May 3, 1973 as per
Local Agency Formation Committee

BECKWITH NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in Sections 2, 3, 10, 11, 12, 13, and 14, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a point on the Northern boundary of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records, said point being South 89°34'17" West, 674.00 feet from the point of intersection with the Western line of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (255), the following courses; South 89°34'17" West, 285.82 feet; thence South 47°33'17" West, 798.57 feet; thence South 25°53'47" West, 170.00 feet; thence South 47°09'32" West, 653.84 feet; thence South 47°09'32" West, 110.00 feet, to a point on the Southwestern line of State Highway 99; thence South 43°07' 01" East, 1171.56 feet; thence South 43°08'31" East, 1975.91 feet; thence leaving the existing City Limits, South 00°22'01" East, 147.25 feet, to a point on the Southwestern line of the Southern Pacific Railroad right of way; thence along the Southwestern line of said right of way, North 43°08'31" West, 2084.02 feet; thence continuing along said Southwestern line, North 43°07'01" West, 12,441.65 feet, to the intersection of the centerline of a 40 foot public road known as Pelendale Avenue; thence along the centerline of Pelendale Avenue, South 89°57'57" East, 2008.70 feet, to the intersection of the section line common to Section 2 and Section 3; thence continuing along the centerline of Pelendale Avenue, North 89°57'00" East, 1653.57 feet to a point on the Northerly extension of the Eastern line of the parcel belonging to Laurence B. Martin, as per survey filed September 18, 1971, in Volume 12 of Record of Surveys, at Page 78, Stanislaus County Records; thence along the Northerly extension and the Eastern property line of said Martin property, South 00°15'30" West 1328.84 feet, to a point on the section line common to Section 2 and Section 11; thence along said section line, North 89°52'45" East, 987.62 feet to the quarter section corner; thence along the North-South quarter section line of Section 11, South 00°00'03" East, 662.16 feet, to a point on the Southern line of the parcel conveyed to Frank and Johanna Marie Peter, as per deed filed March 6, 1969, in Volume 2263 at Page 671, as Instrument 7706, Stanislaus County Records; thence along the Southern line of said parcel, North 89°52'45" East, 2640.62 feet, to the centerline of a 50 foot public road known as Dale Road, said centerline also being the section line common to Section 11 and Section 12; thence along said centerline, South 00°00'03" East, 993.25 feet, to a point on the Westerly extension of the Northern line of the parcel belonging to D. G. Beachler et. ux., as per Survey filed August 24, 1962, in Volume 9 of Record of Surveys, at Page 32, Stanislaus County Records; thence along said extension and the Northern line of said parcel, South 89°36'27" East, 894.27 feet; thence along the Eastern line of said parcel, South 0°00'03" East, 993.01 feet, to the centerline of a 40 foot public road known as Standiford Avenue, also being the East-West quarter section line of Section 12; thence along said centerline of Standiford Avenue, South 89°35'37" West, 894.27 feet, to the centerline of Dale Road; thence along the cneterline of Dale Road, South 00°00'03" East, 2628.14 feet, to the intersection of the centerline of a 40 foot public road known as Rumble Road; thence along the centerline of Rumble Road, North 89°34'17" East, 2001.38 feet; thence, South 0°04'43" East, 350.00 feet, to the point of beginning, containing 572.923 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-518

A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS BECKWITH NO. 2 ADDITION AND DECLARING THE INTENTION OF THE COUNCIL TO PROCEED WITH THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 73-389, adopted on May 7, 19 73, the Council fixed the 18th day of June, 19 73, at the hour of 4:30 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 considering the proceedings initiated by the Council of the City of Modesto, on its own motion, to annex the hereinafter described territory to said City, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 73-389 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and in the Ceres Courier, a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus, said publications being completed at least twenty (20) days prior to the date set for the hearing, as required by Section 35311 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and no person owning real property within such territory appeared at said time and place to protest said annexation and no written protests have been filed prior to final adjournment of the hearing on protests to the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that a majority protest against the proposed annexation of said BECKWITH NO. 2 Addition has not been made and hereby declares its intention to

proceed with the annexation of said territory, on its own motion, which territory is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Newton, Simon, Mayor Davies

NOES: Councilmen: Mensinger

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

BECKWITH NO. 2 ADDITION

March 15, 1973
Corrected March 22, 197

All that real property in the State of California, County of Stanislaus, being a portion of Sections 12 and 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records, said point also being the intersection of the center line of a 40 foot public road known as Conant Avenue and the center line of a 40 foot public road known as West Rumble Road; thence along the existing City Limits and the boundary of said ADDITION (231), South 0° 04'43" East, 350.00 feet, to the Northeastern corner of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records; thence continuing along the existing City Limits and the boundary of said ADDITION (255), South 89°34'17" West, 674.00 feet; thence leaving the existing City Limits, North 0°04'43" West, 350.00 feet, to the center line of West Rumble Road; thence along said center line, South 89°34'17" West, 2001.38 feet, to the intersection of the center line of a public road known as Dale Road; thence along the center line of Dale Road, said center line also being the section line common to Sections 11 and 12, North 0°00'03" West, 2628.14 feet, to the intersection of the center line of a 40 foot public road known as Standiford Avenue; thence along the center line of Standiford Avenue, North 89°35'37" East, 1326.88 feet, to the Northwestern corner of the CONANT NO. 1 ADDITION (294), as per description filed July 27, 1972, as Instrument 3721, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (294), the following courses, South 00°01'08" East, 1375.08 feet; North 86° 07'07" East, 1350.31 feet; South 0°02'09" East, 1333.86 feet, to the point of beginning, containing 125.489 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-519

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND UNITED STATES OF AMERICA, FEDERAL AVIATION ADMINISTRATION, TO PAY ITS SHARE OF THE POWER CHARGES ANNUALLY FOR THE RUNWAY ALIGNMENT INDICATOR LIGHT SYSTEM (RAILS)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and United States of America, Federal Aviation Administration for payment of its share of the power charges annually for the Runway Alignment Indicator Light System (RAILS) 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 June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-520

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND IRA AND ELSIE ROOT FOR LAND ACQUISITION AND ACCEPTING GRANT DEED (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 Ira and Elsie Root for land acquisition, Tuolumne River Regional Park, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-521

A RESOLUTION ACCEPTING IMPROVEMENTS IN GREENFIELD VILLAGE NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Wolverine Building Service, Inc., a corporation, has filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $93,100 and $46,550 respectively to guarantee improvements in Greenfield Village No. 3 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated June 13, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Greenfield Village No. 3 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $93,100 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $46,550 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 June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-522

A RESOLUTION ACCEPTING IMPROVEMENTS IN APPLEGATE NO. 3 SUBDIVISION AND AUTHROIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Brown and Kauffmann, Inc., a corporation, has filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $40,300 and $20,150 respectively to guarantee improvements in Applegate No. 3 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated June 13, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Applegate No. 3 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $40,300 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $20,150 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 June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-523

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES R. CLARKE AND SYLVIA J. CLARKE FOR SEWER AND WATER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3807 McHENRY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and James R. Clarke and Sylvia J. Clarke for sewer and water service to property outside the City at 3807 McHenry 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 June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-524

A RESOLUTION WAIVING THE $100.00 PER ACRE ANNUAL INCREASE IN THE BOND REDEMPTION CHARGE FOR COMMERCIAL AND INDUSTRIAL PROPERTY FOR THE 1973-74 FISCAL YEAR.

WHEREAS, Section 5-6.04 of the Modesto Municipal Code provides that each person owning property within the Modesto Municipal Sewer District No. 1 shall pay a bond redemption charge to the City for connecting to the sewage system, and

WHEREAS, subsection (b) of said Section 5-6.04 provides that the bond redemption charge of commercial and industrial property per acre shall increase at the rate of $100.00 per acre annually on July 1st of each year, unless specifically waived for the year involved by resolution of the City Council, and that churches shall pay the commercial bond redemption charge, and

WHEREAS, the City staff has made a detailed review of revenue and expenditures and has recommended that the $100.00 increase be waived for the 1973-74 fiscal year,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that pursuant to the provisions of subsection (b) of Section 5-6.04 of the Modesto Municipal Code that it hereby waives the $100.00 increase for the 1973-74 fiscal year in the bond redemption charge for connecting commercial and industrial property per acre to the sewage system, including the commercial bond redemption charge applicable to churches.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-525

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FALA M. BOWLIN AND RICHARD H. WALTERS FOR LAND ACQUISITION AND ACCEPTING GRANT DEED (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 Fala M. Bowlin and Richard H. Walters for land acquisition, Tuolumne River Regional Park, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-526

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY ADJACENT TO THE CITY OF MODESTO TO BE USED FOR A PUBLIC PARK, A MUNICIPAL PURPOSE. (Mary R. Carpenter)

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience and necessity require the acquisition of certain real property to be used for a public park.

The use of said real property for a public park is a municipal purpose and is a public use authorized by law.

The proposed acquisition is planned in a manner which will be most compatible with the greatest public good and the least private injury.

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be 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 the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated adjacent to the City of Modesto and in the Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

Approved as to description:
By R C Mongrell
Public Works Department

PARCEL NO. 1:

Being a portion of Lot 7, LA RIO PARK TRACT, according to the Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Vol. 5 of Maps, page 9, more particularly described as follows:

COMMENCING at a point where the Westerly boundary line of the Victory Tract extended and produced, intersects the Southerly property line curve of Hillside Avenue, according to the Map of the Victory Tract recorded in Volume 14 of Maps, page 24, records of Stanislaus County, California; thence Northwesterly along a portion of the said Southerly property line curve of Hillside Avenue (said Southerly line of Hillside Avenue being the Southerly line of premises conveyed to Stanislaus County by deed recorded June 13, 1935, in Vol. 563 of Official Records, page 453, (Instrument No. 5893), a distance of 223.14 feet to the point of beginning; (this said portion of curve having functions of, Central Angle 3° 02' 37", Radius 4200.46', Length 223.14'); thence continuing Northwesterly along a portion of the said Southerly property line curve of Hillside Avenue, a distance of 223.03 feet; to the Westerly line of premises conveyed to Lawrence Benson, by deed recorded February 3, 1925, in Vol. 98 of Official Records, at page 446, (this said portion of curve having fuctions of, Central Angle 3° 02' 32", Radius 4200.46', Length 223.03'); thence South 0° 47' East 613.03 feet; along the said Westerly line of premises so conveyed to Benson to the Northerly line of premises conveyed to City of Modesto by deed recorded September 23, 1933, as Instrument No. 10088; thence South 53° 24' East, along the Northerly line of premises so conveyed to City of Modesto, 142.58 feet; to the most Westerly corner of premises conveyed to City of Modesto by deed recorded June 16, 1936, as Instrument No. 7205; thence South 70° 09' East, 94.99 feet to the Northerly line of premises conveyed to City of Modesto as last aforesaid; thence North 0° 47' West, 639.00 feet to the point of beginning

PARCEL NO. 2:

Being a portion of Lot 7, LA RIO PARK TRACT, according to the Official Map thereof, filed in the Office of the County Recorded of Stanislaus County, California on June 18, 1910 in Vol. 5 of Maps, page 9, more particularly described as follows:

BEGINNING at a point where the Westerly boundary line of the Victory Tract extended and produced intersects the Southerly property line curve of Hillside Avenue, according to the Map of the Victory Tract recorded in Vol. 14 of Maps, page 24, records of Stanislaus County, California; thence Northwesterly along a portion of the said Southerly property line curve of Hillside Avenue, said Southerly line of Hillside Avenue being the Southerly line of premises conveyed to Stanislaus County by deed recorded June 13, 1935, in Vol. 563 of Official Records, page 453, (Instrument No. 5893), a distance of 223.14 feet, (the said portion of curve having functions of, Central Angle 3° 02' 37", Radius 4200.46', length 223.14'); thence South 0° 47' East, 639.00 feet to the Northerly line of premises conveyed to City of Modesto by deed recorded June 16, 1936 as Instrument No. 7205; thence South 70° 09' East, 221.71 feet along the last mentioned line to the West line of premises conveyed to Waldo Benson by deed recorded February 3, 1925, in Vol. 98 of Official Records, page 449; thence North 0° 44' 30" West, 633.84 feet along the last mentioned line to the point of beginning

PARCEL 3:

All that portion of Lot 7 of LA RIO PARK TRACT, according to the Map thereof filed in the office of the County Recorder of Stanislaus County, California, on June 18, 1910, in Volume 5 of Maps, page 9, described as follows:

COMMENCING at a point on the Northerly boundary line of La Rio Park Tract, said point being the common corner of Lots 6 and 7 of said La Rio Park Tract; thence South 0° 33' 30" East 1557.10 feet to the Northeast corner of the property conveyed to City of Modesto from Waldo Benson by deed recorded May 9, 1936, Instrument No. 5797, and being the point of beginning of this description; thence North 70° 07' 30" West and along the Northerly boundary line of said City of Modesto property 393 feet; thence North 0° 44' West to the Southerly line of the County Road as established by Dedication Deed recorded June 13, 1935, in Vol. 563 of Official Records, at page 453; thence Southeasterly and along the Southerly line of said County Road to a point on a line projected South 0° 33' 30" East from the Northeast corner of said Lot 7; thence South 0° 33' 30" East to the point of beginning , being that portion of the East 14.714 acres of said Lot 7 of the La Rio Park Tract lying South of the County Road and North of the City of Modesto property both above referred to.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-527

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $36,500 TO PROVIDE FUNDS FOR LAND ACQUISITION, TUOLUMNE RIVER REGIONAL PARK

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (60-321)	$36,500
TO:	Tuolumne River Park Land Acquisition (6329-31-321)	$36,500

(Costsfor the project are greater than anticipated)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/17-01 through 73/21-04

MODESTO CITY COUNCIL
RESOLUTION NO. 73-528

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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 improvements described in the notices which are attached hereto and incorporated by reference herein.

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 2nd day of July, 1973, at 4:00 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 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/17-01 through 73/21-04

(a) Sidewalk at 1131 E. Morris Avenue, Lot 19 of Block 1002. (Alfred A. Ambriz)

(b) Sidewalk at 1225 E. Morris Avenue, Lot 1 of Block 1002-A. (Carl E. Buckley)

(c) Sidewalk at 1122 E. Morris Avenue, Lot 10 of Block 1006. (Larry Dixon)

(d) Sidewalk at 1140 E. Morris Avenue, Lot 6 of Block 1006. (Warren R. Hamilton)

(e) Drive approach along W. Morris Avenue at 501 Magnolia Avenue, Lot 15 and 16 of Block 542. (Frieda Jungerman)

(f) Drive approach along E. Morris Avenue at 422 Bodem Street, the W. 127.45 feet of Lot 1 & 2 of Block 594. (John H. Mears)

(g) Sidewalk along E. Morris Avenue at 1021 E. Morris Avenue, Lot 13 of Block 605. (Alice M. Oden)

(h) Sidewalk along E. Morris Avenue at 101 John Muir Court, Lot 1 of Block 606. (Viola M. Patton)

(i) Sidewalk at 1238, 1240, 1242, & 1244 E. Morris Avenue, a portion of Block 1011. (Walter H. Pingle)

(j) Sidewalk along E. Morris Avenue at 502 Ramona Avenue, Lot 36 of Block 605. (Eva M. Sargenti)

(k) Sidewalk at 1219 E. Morris Avenue, Lot 2 of Block 1002-A. (Harley C. Spencer)

(l) Sidewalk at 1208 E. Morris Avenue, Lot 2 of Block 1006. (Mattie N. Swanson)

(m) Sidewalk along E. Morris Avenue at 141 John Muir Court, Lot 2 of Block 606. (H. N. Vallez)

(n) Curb and gutter along E. Morris Avenue at 419 Kimble Street, Lot 1, 2, 3 & 4 of Block 576. (Donald J. Welch)

(o) Sidewalk along E. Morris Avenue at 501 Hunter Avenue, Lot 15 of Block 1002. (Dene W. Zahn, Jr.)

(p) Sidewalk at 419 Coldwell, the east 60.13 feet of Lot 63 of Block 704. (Doris A. W. Carlisle)

(q) Sidewalk along Coldwell Avenue at 422 Coldwell Avenue, Lot 1 of Block 539. (H. Vincent Elkins, Jr.)

(r) Sidewalk along Coldwell Avenue at 501 Coleman Court, Lot 14 of Block 521. (Edith L. Fox)

(s) Sidewalk at 415 Coldwell Avenue, the West 60.13 feet of Lot 64 of Block 704. (Arvilla L. Hanson)

(t) Sidewalk along Coldwell Avenue at 607 Sycamore Avenue, a portion of Block 539. (Daisy M. Harris)

(u) Sidewalk along Coldwell Avenue at 445 Coleman Court, Lot 15 of Block 521. (Fred W. King)

(v) Sidewalk at 405 Coldwell Avenue, a portion of Block 704. (Harriett O. Marlin)

(w) Sidewalk along Coldwell Avenue at 431 Coldwell Avenue, a portion of Block 704. (John W. Sautter)

(x) Sidewalk along Coldwell Avenue at 439 Coleman Court, Lot 16 of Block 521. (Earl J. Wagner)

(y) Sidewalk along Coldwell Avenue at 507 Coleman Court, Lot 13 of Block 521. (Oren Wilcher)

(z) Sidewalk along Coldwell Avenue at 433 Coleman Court, Lot 17 of Block 521. (George W. Williams)

(aa) Sidewalk along Coldwell Avenue at 554 Enslen Avenue, Lot 12 of Block 521. (Lealon G. Wyckoff)

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME Alfred A. and Teresa Ambriz

ADDRESS 5820 Stockton Street, Sacramento, Ca. 95824

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 19 of Block 1002 of Tschantz-Van Horn Tract as per map filed April 16, 1954 in Volume 17 of Maps, Page 72, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 34-0107-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the South side of Block 1002 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Larry and Barbara Dixon

ADDRESS 2258 Via Espada, Pleasanton, Ca. 94566

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 of Block 1006 of Grant Tract as per map filed May 26, 1950 in Volume 16 of Maps, Page 74, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 34-0302-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the North side of Block 1006 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Warren R. & Eileen Hamilton

ADDRESS 1140 E Morris Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 1006 of Grant Tract as per map filed May 26, 1950 in Volume 16 of Maps, Page 74, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 34-0306-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the North side of Block 1006 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME Frieda Jungerman

ADDRESS 501 Magnolia Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 15 and 16 of Block 542 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 542, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No.002-01 110-0261-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the South side of Block 542 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME John H. Mears

ADDRESS 518 Bodem Street, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 127.45 feet of Lots 1 and 2 of Block 594 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 594, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 111-0383-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the North side of Block 594 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Alice M. Oden

ADDRESS 1021 E. Morris Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 of Block 605 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 605, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 111-5613-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the South side of Block 605 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Viola M. Patton

ADDRESS 101 John Muir Court, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 606 of John Muir Tract as per map filed April 15, 1938 in Volume 11 of Maps, Page 41, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 111-5701-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the North side of Block 606 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Eva M. Sargenti

ADDRESS 502 Ramona Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 36 of Block 605 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 605, Stanislaus County Records.

(Stanislaus County Parcel No. 002-01 111-5636-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting E. Morris on the South side of Block 605 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME Harley C. & Betty Spencer

ADDRESS 1219 E. Morris Avenue, Modesto 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 of Block 1002-A of Tschantz-Van Horn Tract as per map filed April 16, 1954 in Volume 17 of Maps, Page 72, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 34-0210-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the South side of Block 1002-A in the City of Modesto, all of said construction to be in accordance with the City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME H. N. and Thelma M. Vallez

ADDRESS 141 John Muir Court, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 of Block 606 of John Muir Tract as per map filed April 15, 1938 in Volume 11 of Maps, Page 41, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 111-5702-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the North side of Block 606 in the City of Modesto, all of said construction to be in accordance with City of Modest standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:

NAME Donald J. & Alma L. Welch

ADDRESS 1033 Heatherfield, San Jose, Ca. 95132

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1, 2, 3, & 4 of Block 576 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 576, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 111-0401-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the North side of Block 576 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4.00 p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME Dene W. Zahn Jr.

ADDRESS 2509 Kirkwood, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 15 of Block 1002 of Tschantz-Van Horn Tract as per map filed April 16, 1954 in Volume 17 of Maps, Page 72, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 34-0111-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Morris Avenue on the South side of Block 1002 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Doris A. W. Carlisle

ADDRESS 1047 N. Wilson Way, Stockton, Ca. 95205

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 60.126 feet of the South 165.143 feet of Lot 63 of Block 704 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 704, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 113-1116-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the South side of Block 704 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2 nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME H. Vincent Elkins, Jr.

ADDRESS 422 Coldwell Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 521 of Coleman Park Subdivision as per map filed September 21, 1950 in Volume 17 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 110-0120-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the North side of Block 521 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME Edith L. Fox

ADDRESS 501 Coleman Court, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 14 of Block 521 of Coleman Park Subdivision as per map filed September 21, 1950 in Volume 17 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 110-0116-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the North side of Block 521 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME Arvilla L. Hanson

ADDRESS 415 Coldwell Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 60.126 feet of the South 165.15 feet of Lot 64 of Block 704 of City of Modesto as per map December 21, 1942 in Volume 15 of Maps, Page 704, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 113-1115-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the South side of Block 704 in the City of Modesto, all said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Daisy M. Harris

ADDRESS 607 Sycamore Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 50 feet of Block 539 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 539, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 110-0269-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the North side of Block 539 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2 nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME Fred W. King & Dorothy King

ADDRESS 445 Coleman Court, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 15 of Block 521 of Coleman Park Subdivision as per map filed September 21, 1950 in Volume 17 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 110-0117-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the North side of Block 521 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2 nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME Harriett O. Marlin

ADDRESS 405 Coldwell Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 55 feet of the West 67 feet of Lot 72 of Block 704 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 704, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 113-1113-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the South side of Block 704 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME John W. and Barbara J. Sautter

ADDRESS 431 Coldwell Avenue, Modesto, Ca. 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 214.117 feet of Lot 62 excluding the North 49 feet by the East 55.12 feet of Lot Block 704 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 704, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 113-1118-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the South side of Block 704 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Earl J. Wagner and Christine Wagner

ADDRESS 439 Coleman Court, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 16 of Block 521 of Coleman Park Subdivision as per map filed September 21, 1950 in Volume 17 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 110-0118-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the North side of Block 521 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Oren & Hattie Wilcher

ADDRESS 1914 Evans Road, Ceres, Ca. 95307

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 of Block 521 of Coleman Park Subdivision as per map filed September 21, 1950 in Volume 17 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 110-0115-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the North side of Block 521 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00p.m. on the 2nd day of July, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME George W & Ruby Williams

ADDRESS 433 Coleman Court, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 17 of Block 521 of Coleman Park Subdivision as per map filed September 21, 1950 in Volume 17 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 110-0119-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the North side of Block 521 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Lealon G and Florine D. Wyckoff

ADDRESS 554 Enslen Avenue, Modesto, Ca. 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 of Block 521 of Coleman Park Subdivision as per map filed September 21, 1950 in Volume 17 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 110-0113-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Coldwell Avenue on the North side of Block 521 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:00 p.m. on the 2nd day of July, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 15th day of June, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 73-529

A RESOLUTION ACCEPTING IMPROVEMENTS IN PLEASANT VIEW ESTATES NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Gilbert Medeiros and Opal Medeiros, husband and wife, and A. W. McGuire and Ruth McGuire, husband and wife, individuals, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $27,300 and $13,650 respectively to guarantee improvements in Pleasant View Estates No. 3 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated June 14, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Pleasant View Estates No. 3 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $27,300 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $13,650 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 June, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-530

LETTER
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO BEE TO PRINT AND PUBLISH THE OFFICIAL ADVERTISING FOR THE CITY FOR A ONE-YEAR PERIOD ENDING JUNE 30, 1974

BE IT HEREBY RESOLVED by the Council of the City of Modesto
letter
that the/agreement between the City of Modesto and the Modesto Bee ~~Bee~~ to print and publish the official advertising for the City for a one-year period ending June 30, 1974 be, and it is hereby approved.

letter
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 June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-531
AMENDMENT TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND ANDREW J. SILVA REGARDING INSURANCE REQUIREMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to the/agreement between the City of Modesto and Andrew J. Silva ~~for~~ regarding insurance requirements

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amendment to the/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 June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-532
AMENDMENT TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND LILA HUFF REGARDING INSURANCE REQUIREMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to agreement between the City of Modesto and Lila Huff regarding insurance requirements 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 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-533

AMENDMENT TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO BASEBALL CLUB, INC. REGARDING INSURANCE REQUIREMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to/agreement between the City of Modesto and Modesto Baseball Club, Inc. regarding insurance requirements

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 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-534

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A REQUEST FOR CONSENT TO COMMENCE PROCEEDINGS TO ANNEX CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO DESIGNATED AS THE KANSAS AVENUE ADDITION.

WHEREAS, a request has been filed by certain persons residing therein, stating that they desire to commence proceedings to annex certain inhabited territory to the City of Modesto, which territory is more particularly shown on the map attached hereto marked Exhibit "A" and made a part of this resolution, and

WHEREAS, it appears that said territory is subdivided and contiguous to the City of Modesto, and

WHEREAS, the Council of the City of Modesto cannot consent to the commencement of proceedings to annex subdivided territory to the City until it has received a report and recommendation from the Modesto City Planning Commission,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said request for consent to commence proceedings to annex the inhabited territory more particularly shown on the map attached hereto marked Exhibit "A" and made a part of this resolution be referred to the Modesto City Planning Commission for its report and recommendation. The territory referred to is situated in the County of Stanislaus, State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Lynnett
City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

PROPOSED KANSAS AVENUE ADDITION

JUNE 14, 1973

N

1" - 600'

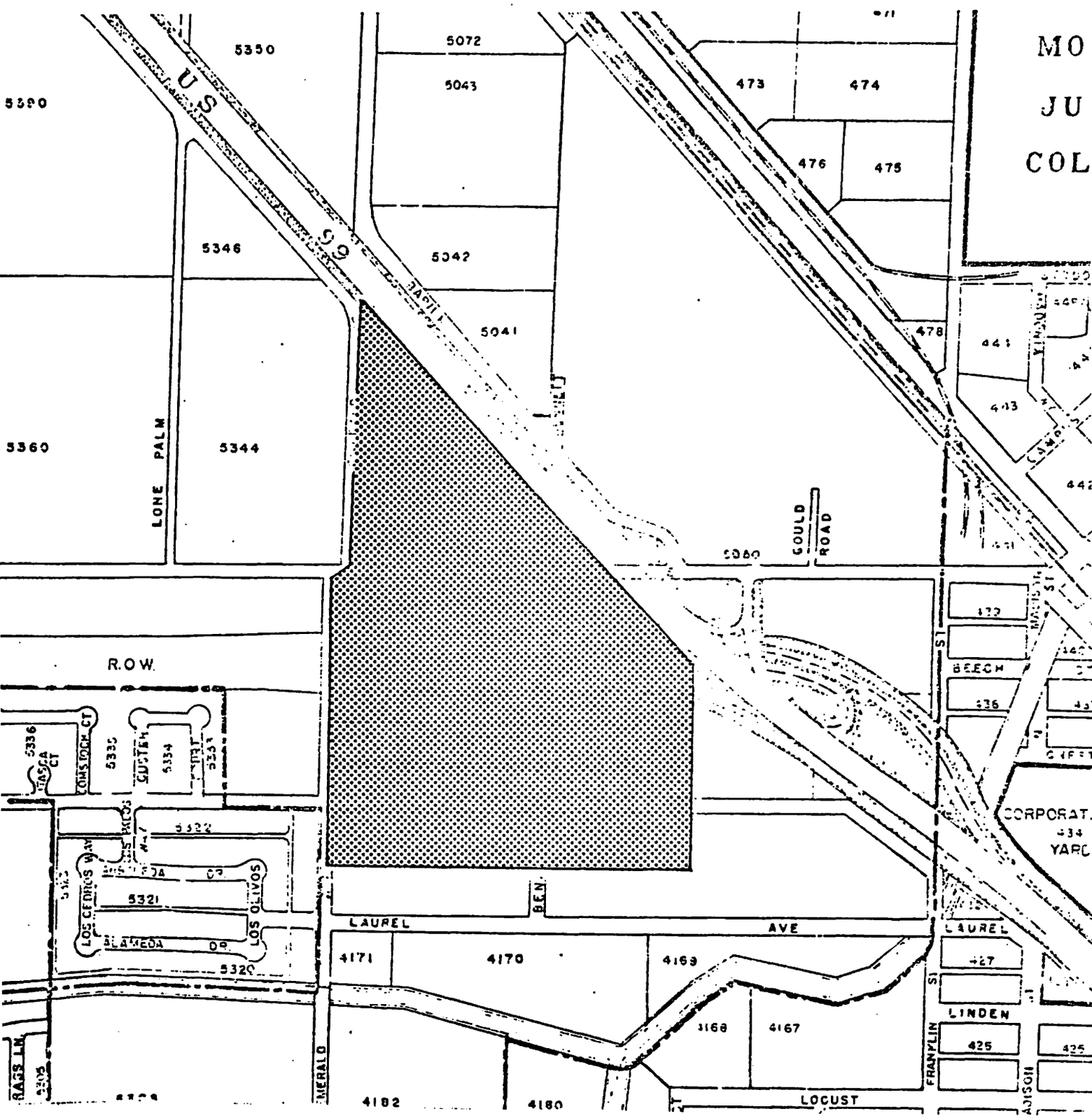


Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 73-535

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $888 TO CORRECT ITEMS PLACED IN THE WRONG ACCOUNTS

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

GENERAL FUND (101)

FROM:	Time Recorder (2) (5500-22-101)	$651.00
	Vacuum Cleaner (5500-22-101)	$237.00
TO:	Time Recorder (2) (5409-22-101)	$651.00
	Vacuum Cleaner (5411-22-101)	$237.00

(To correct items placed in the wrong accounts)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-536

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $2,678 TO CORRECT ERROR IN COUNCIL MINUTES OF MAY 14, 1973

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

GENERAL FUND (101)

FROM:	Air Mask Replacement (5401-21-101)	$2,678.00
TO:	Air Mask Replacement (5404-21-101)	$2,678.00

(To correct typing error in council minutes of May 14, 1973)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-537

A RESOLUTION APPOINTING MEMBERS OF THE HUMAN RIGHTS COMMISSION FOR A TERM ENDING MAY 1, 1976 (Gerald Goren and Jim Richardson)

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 Human Rights Commission for the respective term as indicated: (Term ending May 1, 1976)

Gerald Goren
809 Floyd Avenue
Modesto, California 95350

Jim Richardson
3472 Mansfield Lane
Modesto, California

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Human Rights 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 18th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-538

A RESOLUTION APPOINTING REVEREND BEN JENNINGS AS CHAIRMAN OF THE HUMAN RIGHTS COMMISSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Reverend Ben Jennings is hereby appointed as Chairman of the Human Rights Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-539

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF ROBERT J. GALLO AS CHAIRMAN OF THE HUMAN RIGHTS COMMISSION

WHEREAS, Robert J. Gallo was appointed a member of the Human Rights Commission on November 12, 1963 and reappointed on May 1, 1967 and May 18, 1970; and

WHEREAS, Robert J. Gallo served as Chairman of the Human Rights Commission since May, 1968; and

WHEREAS, Robert J. Gallo has tendered his resignation as Chairman of the Human Rights Commission effective June 18, 1973; and

WHEREAS, Robert J. Gallo has contributed greatly to our civic progress in his role as Chairman of the Human Rights Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Robert J. Gallo as Chairman of the Human Rights Commission is hereby accepted with regret; and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Robert J. Gallo 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 18th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-540

A RESOLUTION SETTING TIME AND PLACE FOR HEARING CONSIDERATION OF AN OPEN SPACE AND RECREATION ELEMENT AMENDMENT TO THE MODESTO URBAN AREA GENERAL PLAN AND THE ENVIRONMENTAL IMPACT REPORT ON SAID ELEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 2, 1973, at 4:05 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 Open Space and Recreation Element Amendment to the Modesto Urban Area General Plan and the Environmental Impact Report on said Element.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Kullijian

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-541

A RESOLUTION SETTING TIME AND PLACE FOR HEARING CONSIDERATION ON AMENDMENTS AND ADDITIONS TO ZONING AND SIGN REGULATIONS TO INCLUDE A "PURPOSE" SECTION TO THE FLOOD PLAIN ZONE AND TO ADD AN EXCLUSIVE AGRICULTURAL AND RECREATIONAL ZONE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 2, 1973, at 4:05 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 and additions to the Zoning and Sign Regulations of the City of Modesto:

1. Amendment to the Flood Plain Zone (F Zone) to include a "purpose" section.

2. Addition of an Exclusive Agricultural and Recreational Zone (A-R Zone) which is a proposed conventional zone designed to provide a better conversion of County A-2 (Exclusive Agricultural) Zoning and County R-E (Recreational) Zoning upon annexation to 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 June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Kullijian

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-542

A RESOLUTION GRANTING REQUEST OF GREG SHINKWIN AND TED ROSEN FOR TEMPORARY USE OF ON-STREET PARKING SPACES DURING FOURTH OF JULY PARADE

WHEREAS, Greg Shinkwin and Ted Rosen have requested permission to use on-street parking spaces during the Fourth of July Parade.

NOW, THEREFORE, BE IT RESOLVED that the request of Greg Shinkwin and Ted Rosen for the use of on-street parking spaces during the Fourth of July Parade is hereby granted; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized to issue a permit to Greg Shinkwin and Ted Rosen for said use with the stipulation that the permit shall include, but not be limited to, the conditions listed in Section 3-2.1705 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 25th day of June, 1973, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-543

A RESOLUTION GRANTING REQUEST OF VICTOR VELAZQUEZ FOR TEMPORARY USE OF ON-STREET PARKING SPACES DURING FOURTH OF JULY PARADE

WHEREAS, Victor Velazquez has requested permission to use on-street parking spaces during the Fourth of July Parade.

NOW, THEREFORE, BE IT RESOLVED that the request of Victor Velazquez for the use of on-street parking spaces during the Fourth of July Parade is hereby granted; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized to issue a permit to Victor Velazquez for said use with the stipulation that the permit shall include, but not be limited to, the conditions listed in Section 3-2.1705 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 25th day of June, 1973, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-544

A RESOLUTION GRANTING REQUEST OF EDDIE RODRIQUES FOR TEMPORARY USE OF ON-STREET PARKING SPACES DURING FOURTH OF JULY PARADE

WHEREAS, Eddie Rodriques has requested permission to use on-street parking spaces during the Fourth of July Parade.

NOW, THEREFORE, BE IT RESOLVED that the request of Eddie Rodriques for the use of on-street parking spaces during the Fourth of July Parade is hereby granted; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized to issue a permit to Eddie Rodriques for said use with the stipulation that the permit shall include, but not be limited to, the conditions listed in Section 3-2.1705 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 25th day of June, 1973, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-545

A RESOLUTION ACCEPTING THE BID OF WESTERN PIPELINE COMPANY FOR INSTALLATION OF FIRE HYDRANTS AND WATERLINES IN BUENA VISTA, EL RIO, AND LA SOMBRA STREETS

WHEREAS, Resolution No. 73-436 , adopted by the Council of the City of Modesto on May 29, 1973 , approved the plans and specifications for the installation of Fire Hydrants and Waterlines in Buena Vista, El Rio, and La Sombra Streets and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Fire Hydrants and Waterlines in Buena Vista, El Rio, and La Sombra Streets were opened at 10:00 A.M. on June 12, 1973 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 Western Pipeline Co. in the amount of $14,164.50

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 Pipeline Co. in the amount of $14,164.50

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 25th day of June, 1973, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-546

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN KEWIN PARK AND THOUSAND OAKS PARK

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

SECTION 1. The plans and specifications for installation of Waterline in Kewin Park and Thousand Oaks 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 July 10, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-547

A RESOLUTION REJECTING BIDS OPENED JUNE 19, 1973 FOR CONSTRUCTION AND REPAIR OF CURBS, GUTTERS AND SIDEWALKS AT VARIOUS LOCATIONS #3

BE IT RESOLVED by the Council of the City of Modesto that it hereby rejects all bids opened June 19, 1973 at 10:00 A.M. for construction and repair of curbs, gutters and sidewalks at various locations No. 3.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-548

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF CURBS, DRIVEWAYS AND SIDEWALK AT VARIOUS LOCATIONS NO. 3

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

SECTION 1. The plans and specifications for construction of Curbs, Driveways and Sidewalks at Various Locations No. 3 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 10, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-549

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINES IN MAZE BOULEVARD (Lewis Dannels)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Waterlines in Maze Boulevard

has been completed by Lewis Dannels

in accordance with the contract agreement dated April 2, 1973

NOW, THEREFORE, BE IT RESOLVED that the construction of Waterlines in Maze Boulevard

be accepted from said contractor, Lewis Dannels

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $26,485.63 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 June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-550

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TRAFFIC SIGNS AND ACCESSORIES

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

SECTION 1. The plans and specifications for furnishing traffic signs and accessories

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 10, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-551

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CONSTANCE HOWELL, BONITA JEAN MERLIN AND ANDREW A. BENSON AND ACCEPTING GRANT DEED FOR LAND ACQUISITION (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 Constance Howell, Bonita Jean Merlin and Andrew A. Benson for land acquisition, Tuolumne River Regional Park, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-552
PROGRAM SUPPLEMENT NO. 1 TO THE MASTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND FEDERAL-AID URBAN SYSTEM PROGRAM FOR THE IMPROVEMENT OF "G" STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the/agreement between the City of Modesto and Federal-Aid Program Supplement No. 1 to the Master Urban System Program for the Improvement of "G" Street

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement Program Supplement No. 1 to the Master 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 June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-553
DIVIDEND PLAN

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE COMPENSATION INSURANCE FUND FOR A THREE YEAR PLAN PERIOD RETROACTIVE TO JANUARY 1, 1973

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the dividend plan/agreement between the City of Modesto and State Compensation Insurance Fund for a three year plan period retroactive to January 1, 1973 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said dividend plan/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 June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-554

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WALTER VAN HEUKELEN FOR LEASE OF HANGAR NO. 5 AT THE CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Walter Van Heukelen

for lease of Hangar No. 5 at the 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 June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-555

A RESOLUTION ACCEPTING GRANT OFFER FROM FEDERAL AVIATION AGENCY FOR INSTALLATION OF a 42 INCH DRAIN PIPE (APPROXIMATELY 1800 LF) AND ONE CATCH BASIN AT MODESTO CITY COUNTY AIRPORT

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

Section 1. The City of Modesto accepts the grant offer of the United States of America, Federal Aviation Agency, in the amount of $36,245.00 to be used under Project No. 8-06-0153-01 in the installation of a 42 inch drain pipe (approximately 1800 LF), and one catch basin at Modesto City-County Airport.

Section 2. The Manager of the City of Modesto is hereby authorized and directed to sign the statement of acceptance of said grant offer (entitled Part II - Acceptance), on behalf of the City of Modesto, and the City Clerk is hereby authorized and directed to attest the signature of the Manager and to impress the official seal of the City of Modesto on the aforesaid statement of acceptance;

Section 3. A true copy of the grant offer referred to herein is attached hereto and made a part hereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilwoman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chymoweth
W. T. CHYMOWETH
City Clerk

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

GRANT AGREEMENT

Part 1-Offer

Date of Offer June 21, 1973

Modesto City-County Airport

Project No. 8-06-0153-01

Contract No. DOT FA73WE-2292

TO: THE CITY OF MODESTO, CALIFORNIA AND COUNTY OF STANISLAUS, CALIFORNIA (herein referred to as the "Sponsor")

FROM: The United States of America (acting through the Federal Aviation Administration, herein referred to as the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated 6 November 1972, for a grant of Federal funds for a project for development of the Modesto City-County Airport (herein called the "Airport"), together with plans and specifications for such project, which Project Application, as approved by the FAA is hereby incorporated herein and made a part hereof; and

WHEREAS, the FAA has approved a project for development of the Airport (herein called the "Project") consisting of the following-described airport development:

Install 42 inch drain pipe (approximately 1800 LF) and one catch basin.

all as more particularly described in the property map and plans and specifications incorporated in the said Project Application;

NOW THEREFORE, pursuant to and for the purpose of carrying out the provisions of the Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1701), and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application, and its acceptance of this Offer as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and the operation and maintenance of the Airport as herein provided, THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States share of the allowable costs incurred in accomplishing the Project, 80.59 percent of the allowable costs.

This Offer is made on and subject to the following terms and conditions:

1. The maximum obligation of the United States payable under this Offer shall be $ 36,245.00

2. The Sponsor shall:

   (a) begin accomplishment of the Project within sixty (60) days after acceptance of this Offer or such longer time as may be prescribed by the FAA, with failure to do so constituting just cause for termination of the obligations of the United States hereunder by the FAA;

   (b) carry out and complete the Project without undue delay and in accordance with the terms hereof, the Airport and Airway Development Act of 1970, and Sections 152.51–152.63 of the Regulations of the Federal Aviation Administration (14 CFR 152) in effect as of the date of acceptance of this Offer; which Regulations are hereinafter referred to as the "Regulations";

   (c) carry out and complete the Project in accordance with the plans and specifications and property map, incorporated herein, as they may be revised or modified with the approval of the FAA.

3. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under Section 152.47 (b) of the Regulations.

4. Payment of the United States share of the allowable project costs will be made pursuant to and in accordance with the provisions of Sections 152.65 – 152.71 of the Regulations. Final determination as to the allowability of the costs of the project will be made at the time of the final grant payment pursuant to Section 152.71 of the Regulations: Provided, that, in the event a semi-final grant payment is made pursuant to Section 152.71 of the Regulations, final determination as to the allowability of those costs to which such semi-final payment relates will be made at the time of such semi-final payment.

5. The Sponsor shall operate and maintain the Airport as Provided in the Project Application incorporated herein and specifically covenants and agrees, in accordance with its Assurance 4 in Part III of said Project Application, that in its operation and the operation of all facilities thereof, neither it nor any person or organization occupying space or facilities thereon will discriminate against any person or class of persons by reason of race, color, creed or national origin in the use of any of the facilities provided for the public on the airport.

6. The FAA reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the Sponsor.

7. This Offer shall expire and the United States shall not be obligated to pay any part of the costs of the Project unless this Offer has been accepted by the Sponsor on or before June 30, 1973, or such subsequent date as may be prescribed in writing by the FAA.

8. The Sponsor hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan insurance, or guarantee the following Equal Opportunity clause.

During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, sex or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order 11246 of 24 September 1965, and of the rules and regulations, and relevant orders of the Secretary of Labor.

(5) The contractor will furnish all information and reports required by Executive Order 11246 of 24 September 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligibile for further government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of 24 September 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of 24 September 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of 24 September 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance; Provided, however, That in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

The Sponsor further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, That if the applicant so participating is a state or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

The Sponsor agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor that it will furnish the administering agency with the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

The Sponsor further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of 24 September 1965 with a contractor debarred from, or who has not demonstrated eligibility for, government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or by the Secretary of Labor pursuant to Part III, Subpart D of the Executive Order. In addition, the Sponsor agrees that if it fails or refuses to comply with these undertakings the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance guarantee); refrain from extending any further assistance to the Sponsor under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from the Sponsor; or refer the case to the Department of Justice for appropriate legal proceedings.

9. The Sponsor will send a copy of all invitations for bids, advertised or negotiated, for concessions or other businesses at the airport to the Office of Minority Business Enterprise (OMBE), Field Operations Division, Department of Commerce, Washington, D.C. 20230, or to the local affiliate designated by the OMBE. The Sponsor will disclose and make information about the contracts, contracting procedures and requirements available to OMBE or its designated affiliate and minority firms on the same basis that such information is disclosed and made available to other organizations or firms. Responses by minority firms to invitations for bids shall be treated in the same manner as all other responses to the invitations for bids. Compliance with the preceding paragraph will be deemed to constitute compliance by the Sponsor with the requirements of 49 CFR 21 Appendix C(A)(1)(X), Regulations of the Office of the Secretary of Transportation.

10. It is understood and agreed that the Sponsor will provide, for FAA employees, adequate parking accommodations satisfactory to the Administrator at all FAA technical facilities (air navigation and air traffic control facilities) located on the airport. It is further understood and agreed that Sponsor will provide, without cost, adequate land for the purpose of parking all official vehicles of the FAA (Government and privately owned when used for FAA business) necessary for the maintenance and operation of the FAA facilities on the airport. Such land shall be adjacent to the facilities served.

11. The Federal Government does not now plan or contemplate the construction of any structures pursuant to Paragraph 11 of Part III - Sponsor's Assurances - of the Project Application dated 6 November 1972, and, therefore, it is understood and agreed that the Sponsor is under no obligation to furnish any areas or rights without cost to the Federal Government under this Grant Agreement. However, nothing contained herein shall be construed as altering or changing the rights of the United States and/or the obligations of the Sponsor under prior Grant Agreements to furnish rent-free space for the activities specified in such agreements.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and said Offer and Acceptance shall comprise a Grant Agreement, as provided by the Airport and Airway Development Act of 1970, constituting the obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and the operation and maintenance of the Airport. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer and shall remain in full force and effect throughout the useful life of the facilities developed under the Project but in any event not to exceed twenty years from the date of said acceptance.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION
WESTERN REGION

By .....
(TITLE)

Chief, Airport District Office, SFO-600

Part II-Acceptance

The City of Modesto, California does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept said Offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this 25th day of June, 19 73.

THE CITY OF MODESTO, CALIFORNIA
(Name of Sponsor)

By .....
JOHN C. KEEFE

(SEAL)

Title City Manager

Attest: W. L. CRANDELL

Title: City Clerk

CERTIFICATE OF SPONSOR'S ATTORNEY

I, ELWYN L. JOHNSON, acting as Attorney for The City of Modesto, California (herein referred to as the "Sponsor") do hereby certify:

That I have examined the foregoing Grant Agreement and the proceedings taken by said Sponsor relating thereto, and find that the Acceptance thereof by said Sponsor has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of California, and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at Modesto, California this 25th day of June, 1973.

.....

Title City Attorney

Part II - Acceptance

The County of Stanislaus, California, does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept said Offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this _____ day of _____, 19_____.

THE COUNTY OF STANISLAUS, CALIFORNIA
(Name of Sponsor)

By _____

(SEAL) Title _____

Attest: _____

Title: _____

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for The County of Stanislaus, California, (herein referred to as the "Sponsor") do hereby certify:

That I have examined the foregoing Grant Agreement and the proceedings taken by said Sponsor relating thereto, and find that the Acceptance thereof by said Sponsor has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of California, and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ this _____ day of _____ 19____.

_____

Title _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-556

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES R. AND LOIS A. DAGGS FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 422 COFFEE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Charles R. and Lois A. Daggs for sewer service to property outside the City at 422 Coffee 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 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-557

A RESOLUTION APPROVING THE FINAL MAP OF THE WYLDEWOOD ESTATES NO. 4 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Edward G. Wylie and Virginia Lee Wylie, husband and wife,

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6.701 acres, known as the WYLDEWOOD ESTATES NO. 4 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 1st day of August, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said WYLDEWOOD ESTATES NO. 4 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 of the WYLDEWOOD ESTATES NO. 4 Subdivision 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 in the amount of One Thousand, Two Hundred Sixty-Three and 60/100ths ($1,263.60) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-558

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE SALIDA FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Salida Fire Protection District in Stanislaus County was annexed to the City of Modesto as Beckwith No. 1 Addition by Ordinance No. 1273 adopted on June 18, 1973, and said addition officially became a part of the City of Modesto on June 19, 1973, 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, THEREFORE, 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 Salida Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

R.W. 6-22-73

By P C Marquardt
Public Works Department

rch 15, 1973

Corrected April 18, 1973
Revised May 3, 1973 as per
Local Agency Formation Committee

BECKWITH NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in Sections 2, 3, 10, 11, 12, 13, and 14, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a point on the Northern boundary of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records, said point being South 89°34'17" West, 674.00 feet from the point of intersection with the Western line of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (255), the following courses; South 89°34'17" West, 285.82 feet; thence South 47°33'17" West, 798.57 feet; thence South 25°53'47" West, 170.00 feet; thence South 47°09'32" West, 653.84 feet; thence South 47°09'32" West, 110.00 feet, to a point on the Southwestern line of State Highway 99; thence South 43°07' 01" East, 1171.56 feet; thence South 43°08'31" East, 1975.91 feet; thence leaving the existing City Limits, South 00°22'01" East, 147.25 feet, to a point on the Southwestern line of the Southern Pacific Railroad right of way; thence along the Southwestern line of said right of way, North 43°08'31" West, 2084.02 feet; thence continuing along said Southwestern line, North 43°07'01" West, 12,441.65 feet, to the intersection of the centerline of a 40 foot public road known as Pelendale Avenue; thence along the centerline of Pelendale Avenue, South 89°57'57" East, 2008.70 feet, to the intersection of the section line common to Section 2 and Section 3; thence continuing along the centerline of Pelendale Avenue, North 89°57'00" East, 1653.57 feet to a point on the Northerly extension of the Eastern line of the parcel belonging to Laurence B. Martin, as per survey filed September 18, 1971, in Volume 12 of Record of Surveys, at Page 78, Stanislaus County Records; thence along the Northerly extension and the Eastern property line of said Martin property, South 00°15'30" West 1328.84 feet, to a point on the section line common to Section 2 and Section 11; thence along said section line, North 89°52'45" East, 987.62 feet to the quarter section corner; thence along the North-South quarter section line of Section 11, South 00°00'03" East, 662.16 feet, to a point on the Southern line of the parcel conveyed to Frank and Johanna Marie Peter, as per deed filed March 6, 1969, in Volume 2263 at Page 671, as Instrument 7706, Stanislaus County Records; thence along the Southern line of said parcel, North 89°52'45" East, 2640.62 feet, to the centerline of a 50 foot public road known as Dale Road, said centerline also being the section line common to Section 11 and Section 12; thence along said centerline, South 00°00'03" East, 993.25 feet, to a point on the Westerly extension of the Northern line of the parcel belonging to D. G. Beachler et. ux., as per Survey filed August 24, 1962, in Volume 9 of Record of Surveys, at Page 32, Stanislaus County Records; thence along said extension and the Northern line of said parcel, South 89°36'27" East, 894.27 feet; thence along the Eastern line of said parcel, South 0°00'03" East, 993.01 feet, to the centerline of a 40 foot public road known as Standiford Avenue, also being the East-West quarter section line of Section 12; thence along said centerline of Standiford Avenue, South 89°35'37" West, 894.27 feet, to the centerline of Dale Road; thence along the cneterline of Dale Road, South 00°00'03" East, 2628.14 feet, to the intersection of the centerline of a 40 foot public road known as Rumble Road; thence along the centerline of Rumble Road, North 89°34'17" East, 2001.38 feet; thence, South 0°04'43" East, 350.00 feet, to the point of beginning, containing 572.923 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-559

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE SALIDA FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Salida Fire Protection District in Stanislaus County was annexed to the City of Modesto as Beckwith No. 2 Addition by Ordinance No. 1274 adopted on June 18, 1973, and said addition officially became a part of the City of Modesto on June 19, 1973, 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, THEREFORE, 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 Salida Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R C Mongrue
Public Works Department

BECKWITH NO. 2 ADDITION

March 15, 1973
Corrected March 22, 1973

All that real property in the State of California, County of Stanislaus, being a portion of Sections 12 and 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records, said point also being the intersection of the center line of a 40 foot public road known as Conant Avenue and the center line of a 40 foot public road known as West Rumble Road; thence along the existing City Limits and the boundary of said ADDITION (231), South 0° 04'43" East, 350.00 feet, to the Northeastern corner of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records; thence continuing along the existing City Limits and the boundary of said ADDITION (255), South 89°34'17" West, 674.00 feet; thence leaving the existing City Limits, North 0°04'43" West, 350.00 feet, to the center line of West Rumble Road; thence along said center line, South 89°34'17" West, 2001.38 feet, to the intersection of the center line of a public road known as Dale Road; thence along the center line of Dale Road, said center line also being the section line common to Sections 11 and 12, North 0°00'03" West, 2628.14 feet, to the intersection of the center line of a 40 foot public road known as Standiford Avenue; thence along the center line of Standiford Avenue, North 89°35'37" East, 1326.88 feet, to the Northwestern corner of the CONANT NO. 1 ADDITION (294), as per description filed July 27, 1972, as Instrument 3721, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (294), the following courses, South 00°01'08" East, 1375.08 feet; North 86° 07'07" East, 1350.31 feet; South 0°02'09" East, 1333.86 feet, to the point of beginning, containing 125.489 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-560

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (A PORTION OF BECKWITH NO. 1 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on June 18, 1973, certain territory known as BECKWITH NO. 1 Addition, and

WHEREAS, the inclusion of a portion of the area contained in BECKWITH NO. 1 Addition 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 a portion of that certain area annexed to the City of Modesto and known as BECKWITH NO. 1 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 107.

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

SECTION 5. Monday, August 20, 1973, at the hour of 7:30 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 judgment 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. 107 .

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) 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) On the South side of Pelandale Avenue at the Eastern boundary of the annexation.

(2) On the East side of Dale Road at the North side of Standiford Avenue.

(3) On the East side of Dale Road at the South side of Rumble Road.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 107, 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 25th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R C Mongrell
Public Works Department

6-22-73

BECKWITH NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in Sections 2, 3, 10, 11, 12, 13, and 14, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a point on the Northern boundary of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records, said point being South 89°34'17" West, 674.00 feet from the point of intersection with the Western line of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (255), the following courses; South 89°34'17" West, 285.82 feet; thence South 47°33'17" West, 798.57 feet; thence South 25°53'47" West, 170.00 feet; thence South 47°09'32" West, 653.84 feet; thence South 47°09'32" West, 110.00 feet, to a point on the Southwestern line of State Highway 99; thence South 43°07' 01" East, 1171.56 feet; thence South 43°08'31" East, 1975.91 feet; thence leaving the existing City Limits, South 00°22'01" East, 147.25 feet, to a point on the Southwestern line of the Southern Pacific Railroad right of way; thence along the Southwestern line of said right of way, North 43°08'31" West, 2084.02 feet; thence continuing along said Southwestern line, North 43° 07' 01" West, 9,516.84 feet, to its intersection with the section line common to Sections 10 and 11; thence along said section line, North 00° 15' 30" East, 802.97 feet, to the section corner common to Sections 2, 3, 10 and 11; thence North 31° 07' 59" West, 1555.37 feet, to the intersection of the centerline of a 40 foot public road known as Pelandale Avenue; thence along the centerline of Pelandale Avenue, South 89° 57' 57" East, 810.13 feet, to the intersection of the section line common to Section 2 and Section 3; thence continuing along the centerline of Pelandale Avenue, North 89° 57' 00" East, 1653.57 feet to a point on the Northerly extension of the Eastern line of the parcel belonging to Laurence B. Martin, as per survey filed September 18, 1971, in Volume 12 of Record of Surveys, at Page 78, Stanislaus County Records; thence along the Northerly extension and the Eastern property line of said Martin property, South 00°15'30" West 1328.84 feet, to a point on the section line common to Section 2 and Section 11; thence along said section line, North 89°52'45" East, 987.62 feet to the quarter section corner; thence along the North-South quarter section line of Section 11, South 00°00'03" East, 662.16 feet, to a point on the Southern line of the parcel conveyed to Frank and Johanna Marie Peter, as per deed filed March 6, 1969, in Volume 2263 at Page 671, as Instrument 7706, Stanislaus County Records; thence along the Southern line of said parcel, North 89°52'45" East, 2640.62 feet, to the centerline of a 50 foot public road known as Dale Road, said centerline also being the section line common to Section 11 and Section 12; thence along said centerline, South 00°00'03" East, 993.25 feet, to a point on the Westerly extension of the Northern line of the parcel belonging to D. G. Beachler et. ux., as per Survey filed August 24, 1962, in Volume 9 of Record of Surveys, at Page 32, Stanislaus County Records; thence along said extension and the Northern line of said parcel, South 89°36'27" East, 894.27 feet; thence along the Eastern line of said parcel, South 0°00'03" East, 993.01 feet, to the centerline of a 40 foot public road known as Standiford Avenue, also being the East-West quarter section line of Section 12; thence along said centerline of Standiford Avenue, South 89°35'37" West, 894.27 feet, to the centerline of Dale Road; thence along the cneterline of Dale Road, South 00°00'03" East, 2628.14 feet, to the intersection of the centerline of a 40 foot public road known as Rumble Road; thence along the centerline of Rumble Road, North 89°34'17" East, 2001.38 feet; thence, South 0°04'43" East, 350.00 feet, to the point of beginning, containing 536.099 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-561

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (BECKWITH NO. 2 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on June 18, 1973, certain territory known as BECKWITH NO. 2 Addition, and

WHEREAS, the inclusion of the area contained in BECKWITH NO. 2 Addition 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 BECKWITH NO. 2 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 108.

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

SECTION 5. Monday, August 20, 1973, at the hour of 7:30 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 judgment 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. 108.

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) 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) On the East side of Dale Road at the South side of Standiford Avenue.

(2) On the East side of Dale Road at the North side of Rumble Road.

(3) On the South side of Rumble Road at the West side of Conant Avenue.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 108, 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 25th day of June, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

RAW 6-22-73

By R C Mongrell
Public Works Department

BECKWITH NO. 2 ADDITION

March 15, 1973
Corrected March 22, 1973

All that real property in the State of California, County of Stanislaus, being a portion of Sections 12 and 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records, said point also being the intersection of the center line of a 40 foot public road known as Conant Avenue and the center line of a 40 foot public road known as West Rumble Road; thence along the existing City Limits and the boundary of said ADDITION (231), South 0° 04'43" East, 350.00 feet, to the Northeastern corner of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records; thence continuing along the existing City Limits and the boundary of said ADDITION (255), South 89°34'17" West, 674.00 feet; thence leaving the existing City Limits, North 0°04'43" West, 350.00 feet, to the center line of West Rumble Road; thence along said center line, South 89°34'17" West, 2001.38 feet, to the intersection of the center line of a public road known as Dale Road; thence along the center line of Dale Road, said center line also being the section line common to Sections 11 and 12, North 0°00'03" West, 2628.14 feet, to the intersection of the center line of a 40 foot public road known as Standiford Avenue; thence along the center line of Standiford Avenue, North 89°35'37" East, 1326.88 feet, to the Northwestern corner of the CONANT NO. 1 ADDITION (294), as per description filed July 27, 1972, as Instrument 3721, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (294), the following courses, South 00°01'08" East, 1375.08 feet; North 86° 07'07" East, 1350.31 feet; South 0°02'09" East, 1333.86 feet, to the point of beginning, containing 125.489 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-562

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HEAD REST, INC. FOR THE RENTAL OF OFFICE SPACE IN 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 Head Rest, Inc.

for the rental of office space in the Modesto Community Service Center, Rooms 202, 206 and 207 on the second floor

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 June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-563

A RESOLUTION APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUNDS, TUOLUMNE RIVER REGIONAL PARK PROJECT

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, Part V of said applications contains assurances that the applicant must comply with; and

WHEREAS, said procedures further require the applicant to possess an adopted plan showing parks and recreation lands and facilities, existing and proposed; and

WHEREAS, the City's General Plan was first adopted by the City Council on January 28, 1969; and

WHEREAS, the proposed Tuolumne River Regional Park project appears on the City's plan and is consistent with the California Outdoor Recreation Resources Plan; 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; and

2. Certifies that said agency understands the assurances in Part V of the application and certifies that it will comply with the

regulations, policies, guidelines, and requirements, including Office of Management and Budget circulars Nos. A-87, A-95 and A-102 as they relate to the application.

3. Certifies that said agency has or will have matching funds and can finance 100 per cent of the project, half of which will be reimbursed, and

4. Certifies that said agency meets the planning requirements and that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project; 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, 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 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

1. He is the duly qualified and acting City Clerk of the City of Modesto (herein called the "Applicant"), and the keeper of its records.

2. The attached resolution is a true and correct copy of the resolution as finally adopted at a meeting of the Applicant held on the 25th day of June, 1973, and duly recorded in his office.

3. Said meeting was duly convened and held in all respects in accordance with law and, to the extent required by law, due and proper notice of such meeting was given. A legal quorum was present throughout the meeting, and a legally sufficient number of members of the Applicant voted in the proper manner for the adoption of said resolution. All other requirements and proceedings under law incident to the proper adoption or passage of said resolution have been duly fulfilled, carried out, and otherwise observed.

4. If an impression of the seal has been affixed below, it constitutes the official seal of the Applicant, and this certificate is hereby executed under such official seal. If no seal has been affixed below, the Applicant does not have and is not legally required to have an official seal.

5. The undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 29th day of June, 1973.

W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-564

A RESOLUTION APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUNDS, DRY CREEK 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, Part V of said applications contains assurances that the applicant must comply with;and

WHEREAS, said procedures further require the applicant to possess an adopted plan showing parks and recreation lands and facilities, existing and proposed; and

WHEREAS, The City's General Plan was first adopted by the City Council on January 28, 1969; and

WHEREAS, the proposed Dry Creek Park project appears on the City's plan and is consistent with the California Outdoor Recreation Resources Plan; 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; and

2. Certifies that said agency understands the assurances in Part V of the application and certifies that it will comply with the

regulations, policies, guidelines, and requirements, including Office of Management and Budget circulars Nos. A-87, A-95 and A-102 as they relate to the application.

3. Certifies that said agency has or will have matching funds and can finance 100 per cent of the project, half of which will be reimbursed, and

4. Certifies that said agency meets the planning requirements and that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project; 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, 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 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

1. He is the duly qualified and acting City Clerk of the City of Modesto (herein called the "Applicant"), and the keeper of its records.

2. The attached resolution is a true and correct copy of the resolution as finally adopted at a meeting of the Applicant held on the 25th day of June, 1973, and duly recorded in his office.

3. Said meeting was duly convened and held in all respects in accordance with law and, to the extent required by law, due and proper notice of such meeting was given. A legal quorum was present throughout the meeting, and a legally sufficient number of members of the Applicant voted in the proper manner for the adoption of said resolution. All other requirements and proceedings under law incident to the proper adoption or passage of said resolution have been duly fulfilled, carried out, and otherwise observed.

4. If an impression of the seal has been affixed below, it constitutes the official seal of the Applicant, and this certificate is hereby executed under such official seal. If no seal has been affixed below, the Applicant does not have and is not legally required to have an official seal.

5. The undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 29th day of June, 1973.

W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-565
MEMORANDUM OF UNDERSTANDING

A RESOLUTION APPROVING ~~AGREEMENT~~ BETWEEN THE CITY OF MODESTO AND MODESTO CITY FIRE FIGHTERS ASSOCIATION AND AUTHORIZING STAFF TO IMPLEMENT THE PROVISIONS THEREOF

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the memorandum of understanding between the City of Modesto and Modesto City Fire Fighters Association for salary and fringe benefits (salary effective June 26, 1973) 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 25th day of June, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-566

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. The salary rates, salary ranges and salary steps as set forth in Exhibit "A", entitled "City of Modesto Schedule of Salary Ranges in City Service", which is attached hereto and hereby made a part hereof, are hereby established, effective on June 26, 1973.

SECTION 2. 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 "B", entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1973-74", which is attached hereto and hereby made a part hereof, are established, effective on June 26, 1973.

SECTION 3. 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 4. SALARY BASIS. The salaries hereby established are on a monthly basis unless otherwise designated.

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.

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.

The City Manager is further authorized, subject to budgetary limitations, to approve salaries for police personnel serving in special assignments made by the Chief of Police as police investigators or juvenile officers in the salary range ten

(10%) percent above that established for the classification of policeman.

The City Manager is further authorized, subject to budgetary limitations, to approve salaries for police lieutenants serving in special assignments made by the Chief of Police as police division commanders in the salary range five (5%) percent above that established for the classification of police lieutenant.

SECTION 8. DIFFERENTIAL PAY. 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 his position has been allocated, additional compensation at the rate of five (5%) percent of the compensation which he 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. Public Works Maintenance Mechanic - who is regularly assigned as a Night Mechanical Sweeper Operator.
2. Laborer - who is regularly assigned as a Night Hand Sweeper.

SECTION 9. 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 10. EFFECTIVE DATE. The schedule of salary rates and ranges, and the compensation fixed for classes of positions by this resolution shall be effective on and after June 26, 1973.

SECTION 11. REPEALS. Resolutions No. 72-823 and 72-1243 are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CITY OF MODESTO

SCHEDULE OF SALARY RANGES IN CITY SERVICE

1973-74

Biweekly

Range No.	A	B	C	D	E
10	198	208	219	230	241
10.5	203	213	224	235	247
11	208	219	230	241	253
11.5	213	224	235	247	259
12	219	230	241	253	266
12.5	224	235	247	259	272
13	230	241	253	266	279
13.5	235	247	259	272	286
14	241	253	266	279	293
14.5	247	259	272	286	300
15	253	266	279	293	308
15.5	259	272	286	300	315
16	266	279	293	308	323
16.5	272	286	300	315	331
17	279	293	308	323	339
17.5	286	300	315	331	348
18	293	308	323	339	356
18.5	300	315	331	348	365
19	308	323	339	356	374
19.5	315	331	348	365	383
20	323	339	356	374	393
20.5	331	348	365	383	402
21	339	356	374	393	412
21.5	348	365	383	402	423
22	356	374	393	412	433
22.5	365	383	402	423	444
22.9	372	390	410	430	452
23	374	393	412	433	454
23.5	383	402	423	444	466
23.9	390	410	430	452	475
24	393	412	433	454	477
24.5	402	423	444	466	489
24.7	406	426	448	470	494
25	412	433	454	477	501
25.5	423	444	466	489	514
25.9	430	452	475	498	523
26	433	454	477	501	526
26.5	444	466	489	514	539
26.7	448	470	494	518	544
27	454	477	501	526	552
27.5	466	489	514	539	566
27.7	470	494	518	544	572
28	477	501	526	552	580
28.5	489	514	539	566	595
28.9	498	523	549	577	606
29	501	526	552	580	609
29.5	514	539	566	595	624

Monthly

Range No.	A	B	C	D	E
10	430	452	476	500	524
10.5	441	463	487	511	537
11	452	476	500	524	550
11.5	463	487	511	537	563
12	476	500	524	550	578
12.5	487	511	537	563	591
13	500	524	550	578	607
13.5	511	537	563	591	622
14	524	550	578	607	637
14.5	537	563	591	622	652
15	550	578	607	637	670
15.5	563	591	622	652	685
16	578	607	637	670	702
16.5	591	622	652	685	720
17	607	637	670	702	737
17.5	622	652	685	720	757
18	637	670	702	737	774
18.5	652	685	720	757	794
19	670	702	737	774	813
19.5	685	720	757	794	833
20	702	737	774	813	854
20.5	720	757	794	833	874
21	737	774	813	854	896
21.5	757	794	833	874	920
22	774	813	854	896	941
22.5	794	833	874	920	965
22.9	809	848	891	935	983
23	813	854	896	941	987
23.5	833	874	920	965	1013
23.9	848	891	935	983	1033
24	854	896	941	987	1037
24.5	874	920	965	1013	1063
24.7	883	926	974	1022	1074
25	896	941	987	1037	1089
25.5	920	965	1013	1063	1117
25.9	935	983	1033	1083	1137
26	941	987	1037	1089	1144
26.5	965	1013	1063	1117	1172
26.7	974	1022	1074	1126	1183
27	987	1037	1089	1144	1200
27.5	1013	1063	1117	1172	1231
27.7	1022	1074	1126	1183	1244
28	1037	1089	1144	1200	1261
28.5	1063	1117	1172	1231	1294
28.9	1083	1137	1194	1254	1318
29	1089	1144	1200	1261	1324
29.5	1117	1172	1231	1294	1357

Exhibit "A"

Biweekly

Range No.	A	B	C	D	E
29.7	518	544	572	600	630
30	526	552	580	609	639
30.5	539	566	595	624	655
30.7	544	572	600	630	662
31	552	580	609	639	671
31.5	566	595	624	655	688
31.9	577	606	636	668	701
32	580	609	639	671	705
32.5	595	624	655	688	723
32.7	600	630	662	695	729
33	609	639	671	705	740
33.5	624	655	688	723	759
34	639	671	705	740	777
34.5	655	688	723	759	797
35	671	705	740	777	816
35.5	688	723	759	797	837
35.7	695	729	766	804	844
35.8	698	733	770	808	848
36	705	740	777	816	857
36.5	723	759	797	837	878
36.7	729	766	804	844	887
37	740	777	816	857	900
37.5	759	797	837	878	922
38	777	816	857	900	945
38.5	797	837	878	922	968
39	816	857	900	945	992
39.5	837	878	922	968	1017
40	857	900	945	992	1042
40.5	878	922	968	1017	1068

Monthly

Range No.	A	B	C	D	E
29.7	1126	1183	1244	1304	1370
30	1144	1200	1261	1324	1389
30.5	1172	1231	1294	1357	1424
30.7	1183	1244	1304	1370	1439
31	1200	1261	1324	1389	1459
31.5	1231	1294	1357	1424	1496
31.9	1254	1318	1383	1452	1524
32	1261	1324	1389	1459	1533
32.5	1294	1357	1424	1496	1572
32.7	1304	1370	1439	1511	1585
33	1324	1389	1459	1533	1609
33.5	1357	1424	1496	1572	1650
34	1389	1459	1533	1609	1689
34.5	1424	1496	1572	1650	1733
35	1459	1533	1609	1689	1774
35.5	1496	1572	1650	1733	1820
35.7	1511	1585	1665	1748	1835
35.8	1518	1594	1674	1757	1844
36	1533	1609	1689	1774	1863
36.5	1572	1650	1733	1820	1909
36.7	1585	1665	1748	1835	1928
37	1609	1689	1774	1863	1957
37.5	1650	1733	1820	1909	2005
38	1689	1774	1863	1957	2055
38.5	1733	1820	1909	2005	2105
39	1774	1863	1957	2055	2157
39.5	1820	1909	2005	2105	2211
40	1863	1957	2055	2157	2265
40.5	1909	2005	2105	2211	2322

City Manager	$1,319 biweekly	City Manager	$2,868 monthly
City Attorney	$1,001 biweekly	City Attorney	$2,176 monthly

Effective 6-26-73 (Adopted 6-25-73)

CITY OF MODESTO

ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE 1973-74

(Effective 6-26-73)

Title of Classification	Range No.
Account Clerk	14.5
Account Clerk, Senior	18.5
Accountant	26
Accountant, Junior	22.5
Accountant, Senior	29
Administrative Assistant	26
Airport Manager	27.5
Assistant City Attorney	34
Assistant City Clerk	20.5
Assistant Dir. of Public Works	35
Assistant Fire Chief	31.9
Assistant Planner	26
Assistant Poundmaster	17.5
Assistant to City Manager/ Personnel Officer	31.5
Associate Civil Engineer	32
Associate Planner	29
Battalion Chief	28.9
Building Inspector	25
Building Inspector, Senior	27
Building Maintenance Foreman	22
Chief Building Official	32
Chief Electrician	27
Chief of Police	36.7
City Attorney	N/A
City Clerk and Auditor	30.5
City Manager	N/A
Civil Engineering Assistant	28
Clerk, Intermediate	13
Clerk, Junior	10
Community Development and Human Affairs Coordinator	28.5
Construction Inspector	25
Data Processing Supervisor	22.5
Deputy City Manager	39.5
Director of Finance	35.8
Director of Parking & Traffic	36
Director of Parks & Recreation	35.8
Director of Planning	36
Director of Public Works and City Engineer	39.5
Electrician	23.5
Electrician Leadman	24.5
Engineering Aide	20.5
Engineering Aide, Junior	17.5
Engineering Aide, Principal	26
Engineering Aide, Senior	23.5
Equipment Mechanic	21.5
Equipment Mechanic, Senior	22.5
Equipment Serviceman	18.5
Fire Chief	35.7
Fire Engineer	23.9
Fire Lieutenant	25.9
Fireman	22.9
Heavy Equipment Operator	20.5
Janitor	14.5
Junior Civil Engineer	26
Key Punch Operator	13
Laboratory Technician	20.5
Laborer	16.5
Office Machine Operator	16
Office Machine Supervisor	19
Parking Meter Svc. & Reprmn.	18.5
Parks & Recreation Foreman	25
Parks & Recreation Leadman	22
Parks & Recreation Supt.	28.5
Parks Maintenance Man	18.5
Parks Maintenance Mechanic	19.5
Planning Aide	20.5
Planning Aide, Junior	17.5
Planning Aide, Senior	23.5
Police Captain	32.7
Police Lieutenant	29.7
Police Property Clerk	17.5
Police Records Supervisor	25
Police Sergeant	27.7
Policeman	24.7
Policewoman	24.7

Exhibit "B"

Title of Classification	Range No.
Poundmaster	20.5
Property Agent	27
Public Works Foreman	25
Public Works Leadman	22
Public Works Maintenance Man	18.5
Public Works Maint. Mechanic	19.5
Public Works Maint. Supt.	27
Purchasing Officer	27.5
Radio-Telephone Operator	19.5
Recreation Supervisor I	23.5
Secretary	18.5
Secretary to City Attorney	20.5
Secretary to City Manager	21.5
Senior Planner	32
Shop Foreman	25
Stenographer Clerk, Inter.	14.5
Stenographer Clerk, Junior	11
Stores & Equipment Clerk	19.5
Stores & Equipment Supervisor	22.5
Supervisor of General Services	23.5
Telephone Operator-Receptionist	13
Traffic Painter	20.5
Tree Trimmer	20.5
Tree Trimmer Aide	19.5
Typist Clerk, Intermediate	13
Typist Clerk, Junior	10
Water Quality Control Foreman	25
Water Quality Control Oper. I	18.5
Water Quality Control Oper. II	21.5
Water Quality Control Supt.	29
Zoning Inspector	25

Total number of classifications in City Service - 106

MODESTO CITY COUNCIL
RESOLUTION NO. 73-567

A RESOLUTION ANNEXING UNINHABITED TERRITORY KNOWN AS THE WHITMORE NO. 1 ADDITION TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on June 15, 1973, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as WHITMORE NO. 1 Addition,

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

That the annexation of said uninhabited territory designated as WHITMORE NO. 1 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto

be and the same is hereby approved and said property be and the same is hereby subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved, is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By RCM
Public Works Department

May 14, 1973

WHITMORE NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 9, Township 4 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 Southwest corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being the intersection of the Northern line of a 40 foot public road known as Whitmore Avenue and the Western line of the Tidewater Southern Railway Company right of way; thence along said Western line and existing City Limits, North 00°19'15" West, 1940.40 feet; thence leaving the existing City Limits, North 89°50'20" West, 579.67 feet; thence South 00°01'30" West, 1960.45 feet, to a point on the center line of said Whitmore Avenue, said line also being the section line common to Sections 9 and 16, above Township and Range; thence along said center line and said section line, South 89°51'00" East, 591.50 feet, to its intersection with the Southerly extension of the Western line of said Addition (85); thence along said Southerly extension, North 00°19'15" West, 20.00 feet, to the point of beginning, containing 26.354 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-568

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS STANDIFORD-TULLY NO. 1 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one-fourth (1/4) of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus was filed with the Council of the City of Modesto on June 19, 19 73, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as STANDIFORD-TULLY NO. 1 Addition, and described as attached hereto and made a part hereof as though set forth in full herein.

3. That the matter of the proposed annexation to the City of Modesto of said territory has been referred to the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission did on June 15, 1973, approve the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code.

4. That no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 13th day of August, 19 73, at the hour of 7:30 o'clock P. M. of said day, in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the

owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and shall also cause a copy of this resolution to be published in the Ceres Courier, being a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. 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 25th day of June, 1973,

by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By P C Mongrue
Public Works Department

6-22-13

May 14, 1973

STANDIFORD-TULLY NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 5, the East half of Section 7, and the Northwest quarter of Section 8, 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 point on the Northern line of the FRANCEK ADDITION (150), as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, said point being the intersection of the Southern line of a 40.00 foot public road known as Standiford Avenue and the section line common to Sections 7 and 8, said section line being also the center line of a public road known as Tully Road; thence along the existing City Limits and the boundary of said ADDITION (150), North 89°28' West, 1106.01 feet; thence leaving the existing City Limits, North 1°12'20" West, 483.57 feet; thence North 88°45'45" East, 596.78 feet; thence North 0°24'59" West, 895.60 feet, to a point on the Northern boundary of the Hetch Hetchy right of way; thence along the Northern boundary of said right of way, North 69°19'52" East, 525.60 feet to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, North 1°14'15" West, 939.78 feet, to a point on the Southern line of the M.I.D. Lateral No. 6; thence along the Southern line of the M.I.D. Lateral No. 6 the following courses: South 88°50'35" East, 395.43 feet; thence along a tangent curve, concave to the North, having a Radius of 367.90 feet, a Central Angle of 15°00'35", and an Arc Length of 96.38 feet; thence North 76°08'50" East, 550.40 feet; thence along a tangent curve, concave to the Northwest, having a Radius of 367.90 feet, a Central Angle of 17°51'08", and an Arc Length of 114.63 feet; thence leaving the M.I.D. Lateral No. 6, South 39°28'40" East, 47.44 feet; thence South 63°01'40" East, 50.00 feet, to a point on the Section line common to Section 5 and Section 8; thence along said section line, South 89°39'40" East, 1398.04 feet, to a point on the Western line of the Tidewater Southern Railroad right of way; thence along said Western line of said right of way, South 1°14'20" East, 850.56 feet, to the Southeastern corner of property conveyed to Walter P. Wesson, by deed recorded March 29, 1929, as Instrument 4246, Stanislaus County Records; thence along a Southern line of said Wesson property, North 89°39'40" West, 325.00 feet, to a Southwestern corner of the Wesson property; thence along a Western line of the Wesson property, North 1°14'20" West, 150.00 feet, to a point on a Southern line of the Wesson property; thence along said last mentioned Southern line, North 89°39'40" West, 1012.16 feet, to a point on said Southern line of the Hetch Hetchy right of way; thence along the Southern line of the Hetch Hetchy right of way, South 69°19'53" West, 1345.03 feet, to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, South 1°14'15" East, 1451.46 feet, to a point on the center line of Standiford Avenue, said point being also a quarter section corner; thence along said section line and the center line of Tully Road, South 1°04' East, 20.01 feet, to the point of beginning, containing 72.064 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-569

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 9-3-9 OF THE ZONING MAP (Charles F. Dotson)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 19, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 9-3-9 of the Zoning Map to rezone from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, property located on the northwest corner of Rumble Road and Lancelot Lane
the following described property:

Lot 4 in Block 12304 in King Arthur's Camelot, as per map filed June 8, 1965 in Volume 21 of Maps, Page 13, Stanislaus County Records.

Including also the northerly 30 feet of Rumble Road and the westerly 30 feet of Lancelot Lane immediately adjacent to the above described property, and

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-75 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 9-3-9 of the Zoning Map be set for July 23, 1973 at 7:35 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973, by Councilmen Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-570

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 27-3-9 OF THE ZONING MAP (Jim Price - Oakmont P-D for Garden Court Homes)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 19, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 27-3-9 of the Zoning Map to prezone to Planned Development Zone, P-D, for a 205-unit, 1 and 2-story single-family residential development on property located west of Fortuna Street, north of the M.I.D. Lateral No. 2 and on the south side of Edgebrook Drive / extended, the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-74 recommending to the Council that prezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 27-3-9 of the Zoning Map be set for July 23, 1973 at 7:40 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed prezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973, by Councilmen Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

All that portion of the northeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

COMMENCING at the interior quarter corner of said Section 27; thence South 89° 41' East along the east-west quarter section line a distance of 29.04 feet; thence North 0° 33' 03" West along a line parallel to and 29.04 feet distant easterly at right angles from the north-south quarter line of said Section 27, a distance of 37.50 feet to the north line of the Modesto Irrigation District Lateral No. 2, and the true point of beginning of this description; thence continuing North 0° 33' 03" West, parallel to and 29.04 feet distance easterly at right angles from said north-south quarter line of Section 27, a distance of 764.12 feet to the centerline of Edgebrook Drive a proposed 60.00 foot wide public street; thence along said centerline of Edgebrook Drive the following seven (7) courses:

1) North 89° 26' 57" East, 336.25 feet; 2) thence in a northeasterly direction along a curve concave to the northwest through a central angle of 56° 17' 39" having a radius of 250.00 feet and a curve length of 245.63 feet; 3) North 33° 09' 18" East 318.10 feet; 4) thence in a northeasterly direction along a curve concave to the southeast through a central angle of 33° 32' 42" having a radius of 250.00 feet and a curve length of 146.37 feet; 5) North 66° 42' East, 384.65 feet; 6) thence in a northeasterly direction along a curve concave to the southeast through a central angle of 23° 30' having a radius of 250.00 feet and a curve length of 102.54 feet; 7) South 89° 48' East, 10.42 feet to the centerline of Fortuna Avenue, as shown on the Official Map of Dry Creek Estates, filed in Volume 21 of Maps at Page 55 Stanislaus County Records; thence South 0° 36' East, along said centerline of Fortuna Avenue, a distance of 777.54 feet; thence in a southwesterly direction along a curve concave to the northwest through a central angle of 45° 15' 05" having a radius of 250.00 feet and a curve length of 197.45 feet to a point of reverse curve; thence in a southwesterly direction along a curve concave to the southeast through a central angle of 45° 15' 05" having a radius of 250.00 feet and a curve length of 197.45 feet; thence South 0° 36' East, a distance of 284.52 feet to the intersection with the north line of the Modesto Irrigation District Lateral No.42; thence North 89° 41' West, along said north line of Lateral No. 2 a distance of 1150.49 feet to the point of beginning.

Excepting therefrom the westerly 10 feet of Fortuna Avenue, being a 40-foot part-width street; and

EXHIBIT "A"

Section 27-3-9
(Jim Price)
Oakmont P-D for
Garden Court Homes

MODESTO CITY COUNCIL
RESOLUTION NO. 73-571

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $950 TO PROVIDE FUNDS TO MEET ANTICIPATED EXPENDITURES FOR BALANCE OF BUDGET YEAR

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

AIRPORT FUND (230)

FROM:	General Reserve (60-46-230)	$950.00
TO:	Utilities (210-46-230)	$400.00
	M & R, Bldgs. & Grounds (224-46-230)	$550.00

(Required to meet anticipated expenditures for balance of budget year)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-572

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $6,500 TO PROVIDE ADDITIONAL FUNDS NEEDED FOR PART-TIME RECREATION SALARY INCREASES EFFECTIVE SEPTEMBER, 1972

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

GENERAL FUND (101)

FROM:	Equipment Rental (218-35-101)	$6,000.00
	M & R, Buildings & Grounds (224-35-101)	500.00
TO:	Salaries & Wages, Part-time (120-32-101)	$6,500.00

(In September, 1972, the City Council approved a pay increase for part-time employees with the exception of sports officials. The increase was added to the overall part-time salaries account at that time. Therefore, this transfer is necessary to balance this account)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 19 73 , by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-573

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF PRICE ENTERPRISES FOR A VARIANCE TO PERMIT A 14 FOOT DISTANCE BETWEEN CURB OPENINGS AT A 120-UNIT MULTI-FAMILY PROJECT ON SCENIC DRIVE (PPD (68)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 9, 1973, at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Price Enterprises for a variance to permit a 14 foot distance between curb openings at a 120-unit Multi-family project on Scenic Drive (PPD (68).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-574

A RESOLUTION WAIVING THE ONE-YEAR LIMITATION ON A NEW APPLICATION BY WARNER M. SOELLING FOR AN AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP TO REZONE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF OLD OAKDALE ROAD AND THE BRIGGSMORE EXPRESSWAY.

WHEREAS, Section 10-2.2103 of the Modesto Municipal Code provides that no application for a zone boundary change shall be accepted by the Planning Commission for any property or area for which a previous application for a zone boundary change has been denied until one year has elapsed from the date of such denial, except that the City Council or the Planning Commission may waive the one year limitation, and

WHEREAS, an application for a zone boundary change to amend Section 22-3-9 of the Zoning Map to rezone property owned by Warner M. Soelling, and located at the southwest corner of Old Oakdale Road and the Briggsmore Expressway was denied by the City Council on May 21, 1973, and

WHEREAS, by letter addressed to the Modesto City Council, dated June 28, 1973, Warner M. Soelling requested the Council for a waiver of the one year limitation in order that he could submit a new application to the Planning Commission to amend Section 22-3-9 of the Zoning Map to rezone his property located at the southwest corner of Old Oakdale Road and the Briggsmore Expressway, and

WHEREAS, in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, the Council, at its meeting on July 2, 1973, found that Warner M. Soelling had shown substantially changed circumstances which justified a time shorter than one year for submitting a new application for an amendment to Section 22-3-9 of the Zoning Map to rezone his property located at the southwest corner of Old Oakdale Road and the Briggsmore Expressway, and that waiving the one year limitation would not adversely affect the interest of the general public,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, it hereby waives the one year limitation for Warner M. Soelling to submit a new application to the Planning Commission for an amendment to Section 22-3-9 of the Zoning Map to rezone his property located at the southwest corner of Old Oakdale Road and the Briggsmore Expressway, inasmuch as he has shown substantially changed circumstances justifying a shorter period of time for submitting a new application, and the waiving of the one year limitation will not adversely affect the interest of the general public.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon

NOES: Councilmen: Davies

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-575

A RESOLUTION ACCEPTING THE BID OF CONSOLIDATED ELECTRICAL DISTRIBUTORS TO FURNISH LAMPS FOR MUNICIPAL PURPOSES FOR A ONE YEAR PERIOD ENDING JUNE 30, 1974

WHEREAS, Resolution No. 73-419 , adopted by the Council of the City of Modesto on May 21, 1973 , approved the plans and specifications for the furnishing of lamps for municipal purposes for one year ending June 30, 1974
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of lamps for municipal purposes for one year ending June 30, 1974
were opened at 2:15 P.M. on June 12, 1973 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 Electrical Distributors at an estimated cost of $6,436.00
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Consolidated Electrical Distributors at an estimated cost of $6,436.00
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 2nd day of July, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-576

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR INSTALLATION OF WATERLINES IN BONNIE LEE ESTATES, COFFEE PLAZA #7, COFFEE PLAZA #8, McHENRY ESTATES #3 AND RIEDEL ESTATES #2

WHEREAS, Resolution No. 73-473 , adopted by the Council of the City of Modesto on June 11, 1973 , approved the plans and specifications for the installation of waterlines in Bonnie Lee Estates, Coffee Plaza #7, Coffee Plaza #8, McHenry Estates #3 and Riedel Estates #2 and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Bonnie Lee Estates, Coffeee Plaza #7, Coffee Plaza #8, McHenry Estates #3 and Riedel Estates #2 were opened at 10:00 A.M. on June 26, 1973 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 Joe Martin in the amount of $32,180.25

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $32,180.25

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 2nd day of July, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/17-01 through 73/21-04

MODESTO CITY COUNCIL
RESOLUTION NO. 73-577

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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, and

WHEREAS, the Council, did, on June 18, 1973, adopt its Resolution No. 73-528, 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, the Council did by said resolution, set the 2nd day of July, 1973, at 4:00 o'clock 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, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 73-528, and

WHEREAS, at the time set for hearing the protests and objections, if any, 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 incorporporated 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 Resolution No. 73-528 and 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 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/17-01 through 73/21-04

(a) Sidewalk at 1131 E. Morris Avenue, Lot 19 of Block 1002. (Alfred A. Ambriz)

(b) Sidewalk at 1225 E. Morris Avenue, Lot 1 of Block 1002-A. (Carl E. Buckley)
(Drop from agenda - doing own work)

(c) Sidewalk at 1122 E. Morris Avenue, Lot 10 of Block 1006. (Larry Dixon)

(d) Sidewalk at 1140 E. Morris Avenue, Lot 6 of Block 1006. (Warren R. Hamilton)

(e) Drive approach along W. Morris Avenue at 501 Magnolia Avenue, Lot 15 and 16 of Block 542. (Frieda Jungerman)

(f) Drive approach along E. Morris Avenue at 422 Bodem Street, the W. 127.45 feet of Lot 1 & 2 of Block 594. (John H. Mears)

(g) Sidewalk along E. Morris Avenue at 1021 E. Morris Avenue, Lot 13 of Block 605. (Alice M. Oden)

(h) Sidewalk along E. Morris Avenue at 101 John Muir Court, Lot 1 of Block 606. (Viola M. Patton)

(i) Sidewalk at 1238, 1240, 1242, & 1244 E. Morris Avenue, a portion of Block 1011. (Walter H. Pingle)
(Drop from agenda & doing own work)

(j) Sidewalk along E. Morris Avenue at 502 Ramona Avenue, Lot 36 of Block 605. (Eva M. Sargenti)

(k) Sidewalk at 1219 E. Morris Avenue, Lot 2 of Block 1002-A. (Harley C. Spencer)

(l) Sidewalk at 1208 E. Morris Avenue, Lot 2 of Block 1006. (Mattie N. Swanson)
(Drop from agenda - doing own work)

(m) Sidewalk along E. Morris Avenue at 141 John Muir Court, Lot 2 of Block 606. (H. N. Vallez)

(n) Curb and gutter along E. Morris Avenue at 419 Kimble Street, Lot 1, 2, 3 & 4 of Block 576. (Donald J. Welch)

(o) Sidewalk along E. Morris Avenue at 501 Hunter Avenue, Lot 15 of Block 1002. (Dene W. Zahn, Jr.)

(p) Sidewalk at 419 Coldwell, the east 60.13 feet of Lot 63 of Block 704. (Doris A. W. Carlisle)

(q) Sidewalk along Coldwell Avenue at 422 Coldwell Avenue, Lot 1 of Block 539. (H. Vincent Elkins, Jr.)

(r) Sidewalk along Coldwell Avenue at 501 Coleman Court, Lot 14 of Block 521. (Edith L. Fox)

(s) Sidewalk at 415 Coldwell Avenue, the West 60.13 feet of Lot 64 of Block 704. (Arvilla L. Hanson)

(t) Sidewalk along Coldwell Avenue at 607 Sycamore Avenue, a portion of Block 539. (Daisy M. Harris)

(u) Sidewalk along Coldwell Avenue at 445 Coleman Court, Lot 15 of Block 521. (Fred W. King)

(v) Sidewalk at 405 Coldwell Avenue, a portion of Block 704. (Harriett O. Marlin)

(w) Sidewalk along Coldwell Avenue at 431 Coldwell Avenue, a portion of Block 704. (John W. Sautter)

(x) Sidewalk along Coldwell Avenue at 439 Coleman Court, Lot 16 of Block 521. (Earl J. Wagner)

(y) Sidewalk along Coldwell Avenue at 507 Coleman Court, Lot 13 of Block 521. (Oren Wilcher)

(z) Sidewalk along Coldwell Avenue at 433 Coleman Court, Lot 17 of Block 521. (George W. Williams)

(aa) Sidewalk along Coldwell Avenue at 554 Enslen Avenue, Lot 12 of Block 521. (Lealon G. Wyckoff)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-578

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. GLENN SPARKS FOR LAND ACQUISITION, LOCATED TO THE NORTH OF FIRE STATION NO. 1 ON 11TH STREET, AND ACCEPTING GRANT DEED (Expansion of Fire Station No. 1)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mr. and Mrs. Glenn Sparks for land acquisition, located to the north of Fire Station No. 1 on 11th Street, for the expansion of the fire station is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-579

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SOUTHERN PACIFIC TRANSPORTATION COMPANY AND COUNTY OF STANISLAUS FOR BRIGGSMORE-CARPENTER ROAD GRADE SEPARATION

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 and County of Stanislaus for Briggsmore-Carpenter Road Grade Separation

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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-580

AND ACCEPTING INDENTURE

A RESOLUTION APPROVING ~~AGREEMENT~~ BETWEEN THE CITY OF MODESTO AND SOUTHERN PACIFIC TRANSPORTATION COMPANY, GRANTING CITY THE RIGHT TO CONSTRUCT THE CARPENTER ROAD OVERPASS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the ~~agreement~~ indenture between the City of Modesto and Southern Pacific Transportation Company ~~for~~ granting City the right to construct the Carpenter Road overpass

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said ~~agreement~~ indenture 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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 581

A RESOLUTION DESIGNATING TRUCK ROUTES IN THE CITY OF MODESTO.

WHEREAS, Section 3-2.1301(d) of the Modesto Municipal Code of the City of Modesto authorizes the Council to determine and designate truck routes by resolution, which designation shall become effective when appropriate signs are placed giving notice of said designations to the public,

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

SECTION 1. Truck routes are hereby designated as shown on the attached maps entitled "Modesto Truck Routes", marked Exhibit "A" and Exhibit "B".

SECTION 2. The Director of Parking and Traffic is hereby directed to cause the truck routes to be marked and designated in accordance with the provisions of this resolutions.

SECTION 3. The provisions of this resolution shall be subject to the provisions of Section 3-2.815 of the Modesto Municipal Code requiring the approval of the State Department of Public Works insofar as they pertain to the regulations of traffic upon State highways within the City.

SECTION 4. Resolution No. 72-994 adopted by the Council on September 5, 1972, 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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

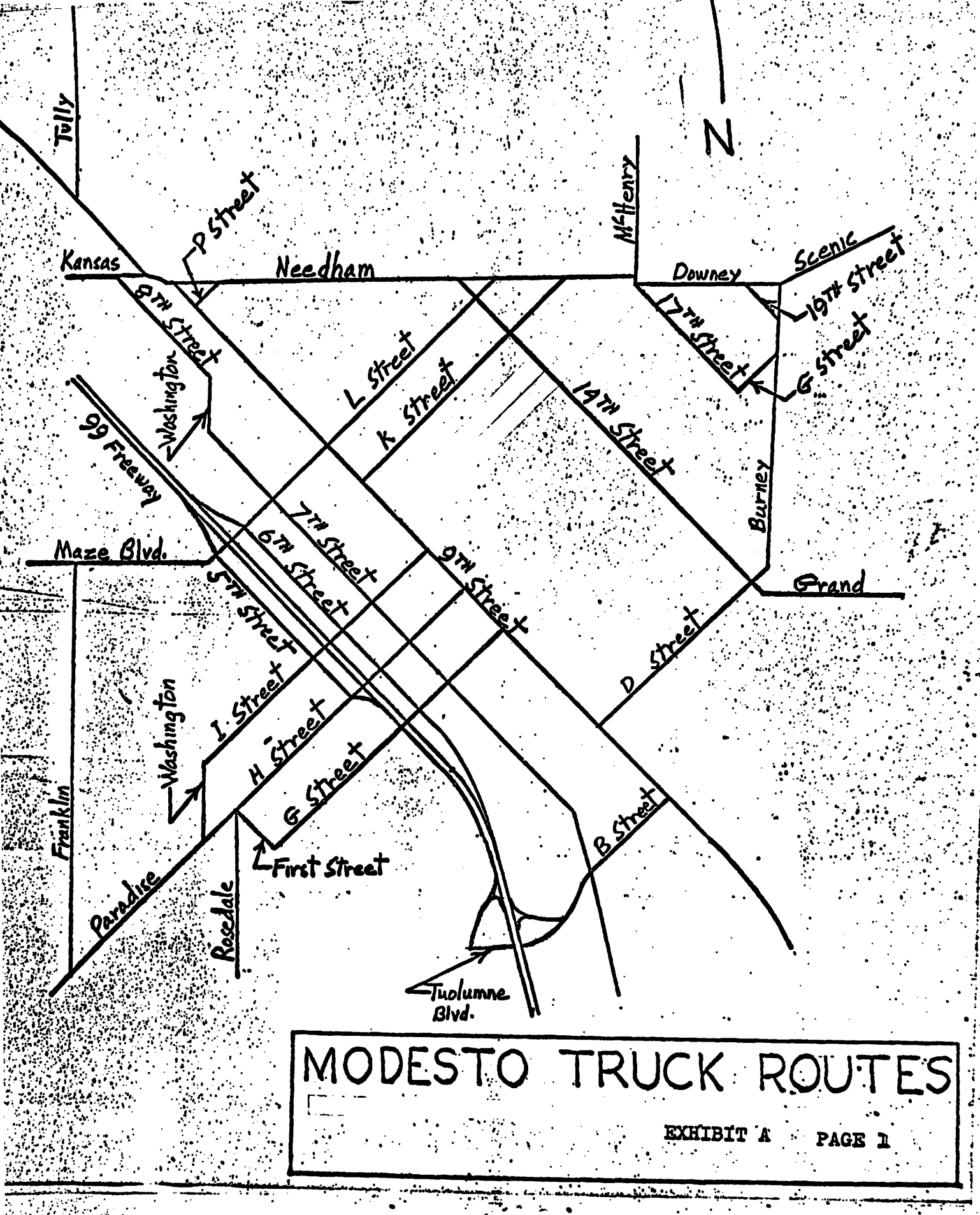
ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

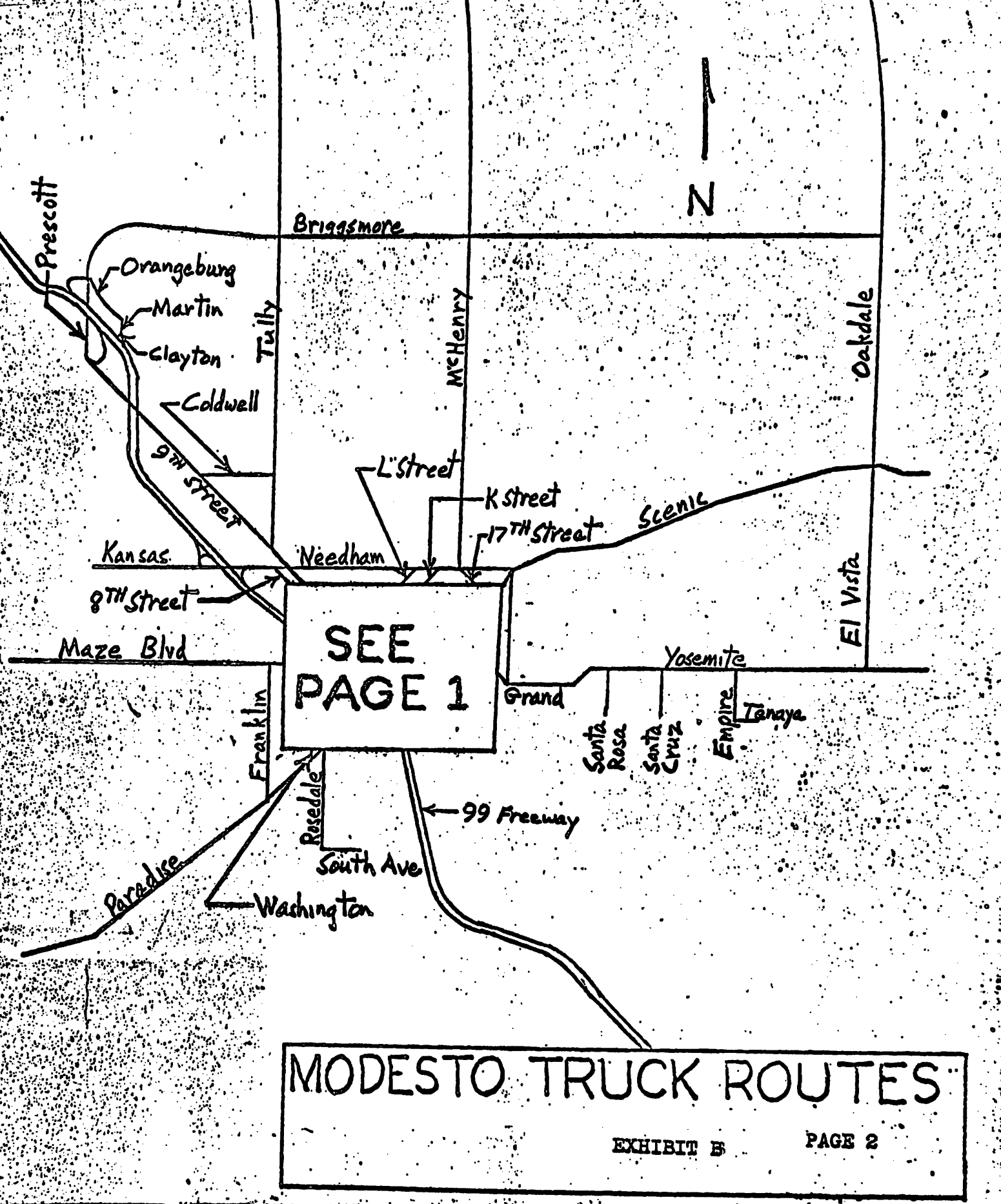
APPROVED AS TO FORM:

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



MODESTO TRUCK ROUTES

EXHIBIT A PAGE 1



MODESTO TRUCK ROUTES

EXHIBIT B PAGE 2

MODESTO CITY COUNCIL
RESOLUTION NO. 73-582

A RESOLUTION AUTHORIZING THE COUNTY OF STANISLAUS TO ACT FOR THE CITY OF MODESTO IN MAKING APPLICATIONS FOR THE CONSTRUCTION OF A SEPARATION STRUCTURE OVER THE MAINLINE TRACK OF THE SOUTHERN PACIFIC TRANSPORTATION COMPANY FOR CARPENTER-BRIGGSMORE ROAD.

WHEREAS, the City of Modesto and the County of Stanislaus in conjunction with the State of California, are cooperating in the planning, funding and construction of a separation structure over the mainline track of the Southern Pacific Transportation Company for Carpenter-Briggsmore Road, and

WHEREAS, the County of Stanislaus has been handling the negotiations with the Southern Pacific Transportation Company, the Division of Highways of the State of California, and the Public Utilities Commission of the State of California regarding said separation structure, and

WHEREAS, the County of Stanislaus is prepared to make application to the Public Utilities Commission for an order authorizing construction of said separation structure, and

WHEREAS, the County of Stanislaus is also prepared to make application for funds from the State of California Grade Separation Fund for the construction of said separation structure, and

WHEREAS, the County of Stanislaus will act for the City of Modesto in making said applications.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the County of Stanislaus to act for the City of Modesto in making application to the Public Utilities Commission for an order authorizing construction of a separation structure over the mainline track of the Southern Pacific Transportation Company for Carpenter-Briggsmore Road.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it hereby authorizes the County of Stanislaus to act for the City of Modesto in making application for funds from the State of California Grade Separation Fund for the construction of a separation structure over the mainline track of the Southern Pacific Transportation Company for Carpenter-Briggsmore Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 583

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 reviewed said amendment to the Personnel Rules as recommended by the City Manager and finds that said amendment promotes the purposes and objectives of the Personnel System,

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

SECTION 1. That Section 13.5 of the Personnel Rules be amended to read as follows:

13.5 Sick Leave

After completing three months of continuous service, an employee 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. Sick leave credit shall not continue to accrue to an employee absent from duty on any leave other than vacation leave or temporary military leave. Unused sick leave time may be accrued not to exceed two hundred fifty days. Sick leave shall be considered a privilege to be allowed only in case of sickness, disability, or quarantine. 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 supervisor or the Personnel Office not later than four hours after the start of the work day. When absent more than three work days, the employee shall file a physician's certificate or a personal affidavit with the Director of Personnel stating the cause of the absence. He may be required to file such certificate in cases of less than three work days' absence.

Leave for disability covered by workmen's compensation shall be charged against the employee's accrued sick leave and the employee shall receive full pay to the extent of his 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.

Employees terminating their city employment or being terminated shall forfeit all unused sick leave benefits, as of the terminal date. Former employees re-employed by the city shall receive no credit for prior service in determination of sick leave or vacation benefits.

SECTION 2. This resolution shall apply retroactively on and after July 1, 1973.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 584

A RESOLUTION ESTABLISHING PROCEDURE FOR PAYMENT OF UNIFORM ALLOWANCE FOR POLICE AND FIRE DEPARTMENTS 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 and Fire Departments,

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

SECTION 1. UNIFORM ALLOWANCE. Sworn police personnel below the rank of Chief of Police shall be paid Twenty and no/100ths ($20.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid quarterly at the end of March, June, September and December each year.

Chief fire officers and sworn fire personnel required to wear dress uniform because of duty assignment shall be paid Twelve and 50/100ths ($12.50) Dollars per calendar month of service, as a uniform allowance; other sworn fire personnel shall be paid Seven and 50/100ths ($7.50) Dollars per calendar month of service, as a uniform allowance, to be paid quarterly in the same manner as stated in the preceding paragraph.

Persons classified as Poundmaster, Assistant Poundmaster or Animal Control Officer shall be paid Ten and no/100ths ($10.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in Paragraph 1 of this Section.

Persons classified as Radio-Telephone Operator shall be paid Ten and no/100ths ($10.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in Paragraph 1 of this Section.

No uniform allowance shall be paid to Police or Fire Departments 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 Police and Fire Departments 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. The Fire Chief and Chief of Police 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 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 allowance.

SECTION 5. This resolution shall apply retroactively on and after July 1, 1973.

SECTION 6. Resolution No. 70-624 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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 585

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan was adopted by Resolution No. 67-66 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 by resolution of the City Council,

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

SECTION 1. The Position Classification Plan of the City of Modesto is hereby amended to create new classifications as follows:

CLASSIFICATIONS CREATED

Police Services Clerk
Museum Supervisor
Animal Control Officer

SECTION 2. The specifications for the classifications created, as shown on the attached Exhibit "A", Exhibit "B" and Exhibit "C" which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

POLICE SERVICES CLERK

Definition

Under direction, to supervise and assist in the activities of a functional unit in the Police Department; to participate in work and review the work of others, and to do related work as required.

Typical Tasks

Assumes responsibility for the maintenance of the various records, reports, and files; designs necessary forms, establishes work systems and schedules; prepares reports; assists with evidence and property when needed; handles mail; assists the public as needed; supervises and coordinates the work of clerical personnel; processes applicants for various permits; assists in property, budget, evidence and inventory control; and performs other duties as required.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade and three years of increasingly responsible office experience, including some supervisory experience.

Desirable Qualifications

Knowledge of office methods, procedures and equipment; knowledge of general clerical procedures; ability to plan and supervise the work of others and maintain effective working relationships; ability to meet the public, to answer their questions, and to make satisfactory explanations; some knowledge of data processing equipment and ability to type at the speed of 45 wpm.

MUSEUM SUPERVISOR

Definition

Under direction, to supervise and assist in the development and carrying out of programs in the museum; arranges for displays and develops programs to serve the community and utilize the facility; responsible for acquisition, exhibition, and care of a wide variety of historical objects; and do related work as required.

Typical Tasks

Plans and participates in arranging displays; conducts special research and prepares catalogs and other publications; supervises the maintenance of the museum and its equipment; prepares publicity on the museum and its activities; presents talks to interested groups; assists in budget preparation and annual inventory; arranges for the acquisition of objects for temporary or permanent exhibits; supervises and may train other employees; may prepare reports and maintain specific records.

Employment Standards

Any combination of training and experience equivalent to completion of four years of college and one year experience in a museum or gallery where the principles, methods, and specialized techniques involved in the organization, display, and care of historical objects would be involved.

Desirable Qualifications

Some management experience; knowledge of planning displays and ability to do research; knowledge of cataloging and labeling; ability to speak before groups; ability to establish and maintain effective working relationships with the public, with community groups, and with employees.

Exhibit "B"

City of Modesto

1973

ANIMAL CONTROL OFFICER

Definition

Under direction, to make field investigations concerning the enforcement of animal control laws and to do related work as required.

Typical Tasks

Drives a vehicle in patrolling the streets and picking up stray and unlicensed animals; investigates complaints regarding animals; takes animals to animal shelter; impounds animals and picks up animals reported sick or dead; locates animals that have bitten a human or other animals; listens to complaints and explains regulations and procedures; issues citations for failure to comply with pertinent laws; keeps required records and prepares written reports; cleans vehicles and other equipment used.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade and some experience in handling animals and in meeting the public.

Desirable Qualifications

Knowledge of the various breeds of dogs; ability to detect the symptoms of the principal animal diseases; ability to perform first aid; ability to operate a motor vehicle; develop and maintain good relationships with the public; ability to prepare written reports; and ability to follow oral and written instructions.

City of Modesto

Exhibit "C"

1973

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 586

A RESOLUTION AMENDING EXHIBIT "B" OF RESOLUTION NO. 73-566 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. 73-566. Exhibit "B" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1973-74" attached to Resolution No. 73-566, is hereby amended as shown on the amended Exhibit "B" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1973-74", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "B" adds the positions of Police Services Clerk, Range 18.5, Museum Supervisor, Range 23.5, and Animal Control Officer, Range 18.5.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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 1973-74

(Effective 6-26, amended 7-2-73)

Title of Classification	Range No.
Account Clerk	14.5
Account Clerk, Senior	18.5
Accountant	26
Accountant, Junior	22.5
Accountant, Senior	29
Administrative Assistant	26
Airport Manager	27.5
Animal Control Officer	18.5
Assistant City Attorney	34
Assistant City Clerk	20.5
Assistant Dir. of Public Works	35
Assistant Fire Chief	31.9
Assistant Planner	26
Assistant Poundmaster	17.5
Assistant to City Manager/ Personnel Officer	31.5
Associate Civil Engineer	32
Associate Planner	29
Battalion Chief	28.9
Building Inspector	25
Building Inspector, Senior	27
Building Maintenance Foreman	22
Chief Building Official	32
Chief Electrician	27
Chief of Police	36.7
City Attorney	N/A
City Clerk and Auditor	30.5
City Manager	N/A
Civil Engineering Assistant	28
Clerk, Intermediate	13
Clerk, Junior	10
Community Development and Human Affairs Coordinator	28.5
Construction Inspector	25
Data Processing Supervisor	22.5
Deputy City Manager	39.5
Director of Finance	35.8
Director of Parking & Traffic	36
Director of Parks & Recreation	35.8
Director of Planning	36
Director of Public Works and City Engineer	39.5
Electrician	23.5
Electrician Leadman	24.5
Engineering Aide	20.5
Engineering Aide, Junior	17.5
Engineering Aide, Principal	26
Engineering Aide, Senior	23.5
Equipment Mechanic	21.5
Equipment Mechanic, Senior	22.5
Equipment Serviceman	18.5
Fire Chief	35.7
Fire Engineer	23.9
Fire Lieutenant	25.9
Fireman	22.9
Heavy Equipment Operator	20.5
Janitor	14.5
Junior Civil Engineer	26
Key Punch Operator	13
Laboratory Technician	20.5
Laborer	16.5
Museum Supervisor	23.5
Office Machine Operator	16
Office Machine Supervisor	19
Parking Meter Svc. & Reprmn.	18.5
Parks & Recreation Foreman	25
Parks & Recreation Leadman	22
Parks & Recreation Supt.	28.5
Parks Maintenance Man	18.5
Parks Maintenance Mechanic	19.5
Planning Aide	20.5
Planning Aide, Junior	17.5
Planning Aide, Senior	23.5
Police Captain	32.7
Police Lieutenant	29.7
Police Property Clerk	17.5
Police Records Supervisor	25
Police Sergeant	27.7
Police Services Clerk	18.5

Exhibit "B"

Title of Classification	Range No.
Policeman	24.7
Policewoman	24.7
Poundmaster	20.5
Property Agent	27
Public Works Foreman	25
Public Works Leadman	22
Public Works Maintenance Man	18.5
Public Works Maint. Mechanic	19.5
Public Works Maint. Supt.	27
Purchasing Officer	27.5
Radio-Telephone Operator	19.5
Recreation Supervisor I	23.5
Secretary	18.5
Secretary to City Attorney	20.5
Secretary to City Manager	21.5
Senior Planner	32
Shop Foreman	25
Stenographer Clerk, Inter.	14.5
Stenographer Clerk, Junior	11
Stores & Equipment Clerk	19.5
Stores & Equipment Supervisor	22.5
Supervisor of General Services	23.5
Telephone Operator-Receptionist	13
Traffic Painter	20.5
Tree Trimmer	20.5
Tree Trimmer Aide	19.5
Typist Clerk, Intermediate	13
Typist Clerk, Junior	10
Water Quality Control Foreman	25
Water Quality Control Oper. I	18.5
Water Quality Control Oper. II	21.5
Water Quality Control Supt.	29
Zoning Inspector	25

Total number of classifications in City Service - 109

MODESTO CITY COUNCIL
RESOLUTION NO. 73-587

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $11,973.00 TO PROVIDE FUNDS FOR SALARY OF MUSEUM SUPERVISOR FOR THE FISCAL YEAR 1973-74

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

GENERAL FUND (101)

FROM:	Services, Prof. & Other (235-29-101	$6,000.00
	General Reserve (60-101)	$5,973.00
TO:	Salaries & Wages, Regular (110-29-101)	$10,242.00
	Compensation Insurance (411-29-101	14.00
	Insurance, Dental (422-29-101)	58.00
	Group Life Insurance (423-29-101)	14.00
	O.A.S.D.I. Contribution (424-29-101)	599.00
	P.E.R.S. Contribution (425-29-101)	900.00
	Group Health Insurance (426-29-101)	146.00

(This amount is necessary to provide the salary for the Museum Supervisor for the fiscal year 1973-74)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-588

A RESOLUTION APPROVING THE FINAL MAP OF THE COLEMAN ACRES NO. 3 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Norton Coleman and June W. Coleman, husband and wife,

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 5.86 acres, known as the COLEMAN ACRES NO. 3 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 20th day of March, 1973, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said COLEMAN ACRES NO. 3 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 of the COLEMAN ACRES NO. 3 Subdivision 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 in the amount of One Thousand, Three Hundred Fifty-Eight and 20/100ths ($1,358.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-589

A RESOLUTION APPROVING COOPERATIVE AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR BRIGGSMORE AVENUE AND SUNRISE AVENUE RECONSTRUCTION OF THE INTERSECTION, INCLUDING PIPING OF THE M.I.D. LATERAL NO. 3, CONSTRUCTION OF LEFT TURN LANES AND THE INSTALLATION OF TRAFFIC SIGNALS AND SAFETY LIGHTING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the cooperative agreement between the City of Modesto and County of Stanislaus for Briggsmore Ave. and Sunrise Ave. reconstruction of the intersection, including piping of the M.I.D. Lateral No. 3, construction of left turn lanes and the installation of traffic signals and safety lighting be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said cooperative 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 July 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-590

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SETLIFF BROTHERS, TO ACT AS AGENT FOR THE DEVELOPERS IN REFUNDING A SHARE OF THE COST OF SANITARY SEWERS ON COFFEE ROAD WHICH HAS BEEN CONSTRUCTED BY THE DEVELOPERS TO SERVE A DEVELOPMENT ON THE WEST SIDE OF COFFEE ROAD AT COOLIDGE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Setliff Brothers

xbox to act as agent for the developers in refunding a share of the cost of sanitary sewers on Coffee Road which has been constructed by the developers to serve a development on the west side of Coffee Road at Coolidge 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 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 591

A RESOLUTION AUTHORIZING APPLICATION FOR A $59,320.00 GRANT MADE AVAILABLE THROUGH THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 ADMINISTERED BY THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE,

WHEREAS, the City of Modesto desires to continue a Community Response to Drug Abuse through Head Rest, Inc., to be funded in part from funds made available through the Omnibus Crime Control and Safe Street Act of 1968 administered by the California Council on Criminal Justice,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto authorizes Head Rest, Inc., to submit the attached Application for Grant for Law Enforcement Purposes to the California Council on Criminal Justice for its consideration.

BE IT FURTHER RESOLVED that in the event that the California Council on Criminal Justice consents to fund the project, the City Manager is authorized to execute the contract on behalf of the City of Modesto.

The City of Modesto shall act as fiscal agent and shall receive and disburse funds and account for said funds in accordance with the grant provisions.

BE IT FURTHER RESOLVED that the City of Modesto will seek funds after the expiration of grant funds to continue the project until it is no longer deemed necessary.

BE IT FURTHER RESOLVED that the grant funds received hereunder shall not be used to supplant ongoing law enforcement expenditures.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-592

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $2,500 TO PROVIDE FUNDS FOR NEW TIRES TO BE USED ON EMERGENCY VEHICLES AT ALL TIMES

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

SERVICE DIVISION WORKING CAPITAL FUND (512)

FROM:	General Reserve (60-512)	$2,500
TO:	Equipment Parts (332-48-512)	$2,500

(To provide new tires on emergency vehicles at all times. Memo from Director of Public Works to City Manager dated June 28, 1973)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-593

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $435,208 TO PROVIDE FUNDS FOR SALARY ADJUSTMENTS TO THE ADOPTED 1973-74 BUDGET

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$417,803
TO:	Various (See Schedule "A" attached)	$417,803

PARKING FUND (209)

FROM:	General Reserve (60-209)	2,960
TO:	Various (See Schedule "A" attached)	2,960

DOWNTOWN IMPROVEMENT DISTRICT FUND (218)

FROM:	General Reserve (60-218)	950
TO:	Various (See Schedule "A" attached)	950

AIRPORT FUND (230)

FROM:	General Reserve (60-230)	3,578
TO:	Various (See Schedule "A" attached)	3,578

SERVICE DIVISION WORKING CAPITAL FUND (512)

FROM:	General Reserve (60-512)	9,917
TO:	Various (See Schedule "A" attached)	9,917

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

SCHEDULE "A"

SALARY APPROPRIATION ADJUSTMENT TO 1973-74 BUDGET

Based on increase effective 6-26-73 (Approved 6-25-73)

Account	Dept.	Fund	Amount	Regular	Overtime	1973-74 Budget
110	8	101	$ 5,834	$ 5,834	--	$ 69,814
110	9		1,654	1,654	--	29,218
110	13		3,746	3,746	--	64,972
110	14		1,976	1,976	--	29,419
110	15		11,789	11,789	--	194,798
110	17		1,913	1,913	--	33,789
110	18		8,666	8,666	--	140,627
110	19		1,875	1,875	--	33,127
130	19		12		12	212
110	21		71,614	71,614	--	1,099,861
130	21		510		510	9,010
110	22		91,487	91,487	--	1,603,998
130	22		2,412	--	2,412	36,864
110	26		501	501	--	8,845
110	29		401	401	--	7,083
110	30		1,516	1,516	--	26,781
110	31		5,073	5,073	--	76,274
130	31		99		99	1,744
110	32		1,304	1,304	--	23,035
110	33		297	297	--	5,246
110	34		221	221	--	3,900
110	35		15,970	15,970	--	282,137
130	35		498		498	8,804
110	36		13,215	13,215	--	233,466
130	36		34		34	596
110	37		2,766	2,766	--	48,865
130	37		253		253	4,471
110	38		4,151	4,151	--	73,337
130	38		405		405	7,154
110	39		442	442	--	7,800
110	41		25,747	25,747	--	423,089
110	42		7,464	7,464	--	130,557
110	43		6,576	6,576	--	116,172
130	43		148		148	2,607
110	50		13,922	13,922	--	243,353
130	50		107		107	1,895
110	51		12,207	12,207	--	215,659
130	51		110		110	1,950
110	52		5,539	5,539	--	97,861
130	52		106		106	1,874
110	53		9,534	9,534	--	168,435
110	54		18,536	18,536	--	327,462
110	56		4,440	4,440	--	69,994
110	58		915	915	--	16,168
			355,985	~~346,533~~ 351,291	4,694	
339	22		6,465			27,200
411	64		12,606			166,139
424	64		9,307			163,164
425	64		33,440			558,272
			$417,803			

SCHEDULE "A"

SALARY APPROPRIATION ADJUSTMENT TO 1973-74 BUDGET

Based on increase effective 6-26-73 (Approved 6-25-73)

Account	Dept.	Fund	Amount	1973-74 Budget
110	57	209	$ 2,358	$ 33,107
411	57	209	51	1,168
424	57	209	101	1,856
425	57	209	450	3,767
			$ 2,960	
235	-	218	$ 950	$ 21,110
110	46	230	$ 3,060	$ 43,023
411	46	230	(84)	1,143
424	46	230	93	2,359
425	46	230	509	3,782
			$ 3,578	
110	48	512	$ 7,435	$131,353
411	48	512	739	4,545
424	48	512	392	6,922
425	48	512	1,351	11,546
			$ 9,917	

MODESTO CITY COUNCIL
RESOLUTION NO. 73-594

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,500 TO PROVIDE FUNDS FOR INCREASED COSTS OF FUEL

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$1,500
TO:	Gas, Oil & Lubricants (330-21-101)	$1,500

(To appropriate money for increased costs of fuel)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-595

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $26,530 TO PROVIDE FUNDS NEEDED TO COMPLETE PROJECT

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$26,530
TO:	Construction Material (321-51-101)	6,500
	Curbs/Gutters (5301-51-101)	14,200
	Curbs/Gutters Spec. (5302-51-101)	5,830

(This project was originally intended to be encumbered in the 1972-73 year; however, since all bids were rejected on June 25, 1973, it is necessary to re-appropriate in 1973-74)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-596

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $24,300 TO PROVIDE FUNDS TO COVER MATERIALS PORTION OF IMPROVEMENT DISTRICT NO. 22

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

CODE ENFORCEMENT FUND (223)

FROM:	General Reserve (60-223)	$24,300
TO:	Curbs/Gutter/Drive (5301-01-223)	$24,300

(To carry funds over into 1973-74 to cover materials portion of Improvement District No. 22. The labor portion of the contract has been encumbered in 1972-73 ($66,620)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-597

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $28,330 TO PROVIDE FUNDS FOR THE MATERIALS PORTION OF FIRE HYDRANT INSTALLATION AND TO DECREASE THE BUDGETED AMOUNT FOR THE TUOLUMNE RIVER BICYCLE PATHS PROJECT

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (60-321)	$8,330
	Tuolumne River Bicycle Paths (6246-31-321)	20,000
TO:	Fire Hydrant Installation (6125-41-321)	8,330
	General Reserve (60-321)	20,000

(1. To provide funds for the materials portion of Fire Hydrant installation. The labor portion ($14,165) has been encumbered in 1972-73.

2. To decrease the budgeted amount for the Tuolumne River Bicycle Paths project. $25,000 was included in the budget adoption report instead of the actual project cost of $5,000)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-598

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $36,500 TO PROVIDE FUNDS NEEDED FOR THE ACQUISITION OF THE CARPENTER PROPERTY

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (60-321)	$36,500
TO:	Tuolumne River Park Land Acquisition (6329-31-321)	$36,500

(To provide an amount for the acquisition of the Carpenter property. Condemnation proceedings approved per Resolution 73-526, dated June 18, 1973)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-599

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $45,000 TO PROVIDE FUNDS FOR INCREASED COST OF FUEL

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

SERVICE DIVISION WORKING CAPITAL FUND (512)

FROM:	General Reserve (60-512)	$45,000
TO:	Gas, Oil & Lubricants (330-48-512)	$45,000

(To provide money for increased cost of fuel)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-600

A RESOLUTION GRANTING REQUEST OF BLACK CAUCUS FOR TEMPORARY USE OF ON-STREET PARKING SPACES DURING FOURTH OF JULY PARADE

WHEREAS, the Black Caucus has requested permission to use on-street parking spaces during the Fourth of July Parade.

NOW, THEREFORE, BE IT RESOLVED that the request of the Black Caucus for the use of on-street parking spaces during the Fourth of July Parade is hereby granted; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized to issue a permit to the Black Caucus for said use with the stipulation that the permit shall include, but not be limited to, the conditions listed in Section 3-2.1705 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 2nd day of July, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-601

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (A PORTION OF BECKWITH NO. 1 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on June 18, 1973, certain territory known as BECKWITH NO. 1 Addition, and

WHEREAS, the inclusion of a portion of the area contained in BECKWITH NO. 1 Addition 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 a portion of that certain area annexed to the City of Modesto and known as BECKWITH NO. 1 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 107.

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

SECTION 5. Monday, August 20, 1973, at the hour of 4:30 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 judgment 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. 107 .

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) 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) On the South side of Pelandale Avenue at the Eastern boundary of the annexation.

(2) On the East side of Dale Road at the North side of Standiford Avenue.

(3) On the East side of Dale Road at the South side of Rumble Road.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 107, shall be taken pursuant to the Law.

SECTION 8. Resolution No. 73-560 adopted by the Council of the City of Modesto on June 25, 1973, 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 July, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Mangrich
Public Works Department

7-2-73

June 27, 1973
Revised July 2, 1973

A PORTION OF
BECKWITH NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in Sections 2, 3, 11, 12, 13, and 14, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a point on the Northern boundary of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records, said point being South 89°34'17" West, 674.00 feet from the point of intersection with the Western line of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (255), the following courses; South 89°34'17" West, 285.82 feet; thence South 47°33'17" West, 798.57 feet; thence South 25°53'47" West, 170.00 feet; thence South 47°09'32" West, 653.84 feet; thence South 47° 09'32" West, 110.00 feet, to a point on the Southwestern line of State Highway 99; thence South 43°07'01" East, 1171.56 feet; thence South 43"08'31" East, 1975.91 feet; thence leaving the existing City Limits, South 00°22'01" East, 147.25 feet, to a point on the Southwestern line of the Southern Pacific Railroad right of way; thence along the Southwestern line of said right of way, North 43°08'31" West, 2084.02 feet; thence continuing along said Southwestern line, North 43°07'01" West, 9,516.84 feet, to its intersection with the section line common to Sections 10 and 11; thence along said section line, North 00°15'30" East, 802.97 feet, to the section corner common to Sections 2, 3, 10 and 11; thence North 31°07'59" West, 1555.37 feet, to the intersection of the centerline of a 40 foot public road known as Pelandale Avenue; thence along the centerline of Pelandale Avenue, South 89°57'57" East, 810.13 feet, to the intersection of the section line common to Section 2 and Section 3; thence continuing along the centerline of Pelandale Avenue, North 89°57'00" East, 1653.57 feet to a point on the Northerly extension of the Eastern line of the parcel belonging to Laurence B. Martin, as per survey filed September 18, 1971, in Volume 12 of Record of Surveys, at Page 78, Stanislaus County Records; thence along the Northerly extension and the Eastern property line of said Martin property, South 00°15'30" West, 1328.84 feet, to a point on the section line common to Section 2 and Section 11; thence along said section line, North 89°52'45" East, 987.62 feet to the quarter section corner; thence along the North-South quarter section line of Section 11, South 00°00'03" East, 662.16 feet, to a point on the Southern line of the parcel conveyed to Frank and Johanna Marie Peter, as per deed filed March 6, 1969, in Volume 2263 at Page 671, as Instrument 7706, Stanislaus County Records; thence along the Southern line of said parcel, North 89°52'45" East, 2640.62 feet, to the centerline of a 50 foot public road known as Dale Road, said centerline also being the section line common to Section 11 and Section 12; thence along said centerline, South 00°00'03" East, 993.25 feet, to a point on the Westerly extension of the Northern line of the parcel belonging to D. G. Beachler etux, as per Survey filed August 24, 1962, in Volume 9 of Record of Surveys, at Page 32, Stanislaus County Records; thence along said extension and the Northern line of said parcel, South 89°36'27" East, 894.27 feet; thence along the Eastern line of said parcel, South 00°00'03" East, 993.01 feet, to the centerline of a 40 foot public road known as Standiford Avenue, also being the East-West quarter section line of Section 12; thence along said centerline of Standiford Avenue, South 89°35'37" West, 894.27 feet, to the centerline of Dale Road; thence along the centerline of Dale Road, South 00°00'03" East, 2628.14 feet, to the intersection of the centerline of a 40 foot public road known as Rumble Road; thence along the centerline of Rumble Road, North 89°34'17" East, 2001.38 feet; thence, South 00°04'43" West, 350.00 feet, to the point of beginning, containing 536.099 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-602

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (BECKWITH NO. 2 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on June 18, 1973, certain territory known as BECKWITH NO. 2 Addition, and

WHEREAS, the inclusion of the area contained in BECKWITH NO. 2 Addition 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 BECKWITH NO. 2 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 108.

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

SECTION 5. Monday, August 20, 1973, at the hour of 4:30 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 judgment 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. 108 .

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) 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) On the East side of Dale Road at the South side of Standiford Avenue.

(2) On the East side of Dale Road at the North side of Rumble Road

(3) On the South side of Rumble Road at the West side of Conant Avenue

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 108, shall be taken pursuant to the Law.

SECTION 8. Resolution No. 73-561 adopted by the Council of the City of Modesto on June 25, 1973, 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 July, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Mongrell
Public Works Department

7-2-73

BECKWITH NO. 2 ADDITION

March 15, 1973
Corrected March 22, 1973

All that real property in the State of California, County of Stanislaus, being a portion of Sections 12 and 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records, said point also being the intersection of the center line of a 40 foot public road known as Conant Avenue and the center line of a 40 foot public road known as West Rumble Road; thence along the existing City Limits and the boundary of said ADDITION (231), South 0° 04'43" East, 350.00 feet, to the Northeastern corner of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records; thence continuing along the existing City Limits and the boundary of said ADDITION (255), South 89°34'17" West, 674.00 feet; thence leaving the existing City Limits, North 0°04'43" West, 350.00 feet, to the center line of West Rumble Road; thence along said center line, South 89°34'17" West, 2001.38 feet, to the intersection of the center line of a public road known as Dale Road; thence along the center line of Dale Road, said center line also being the section line common to Sections 11 and 12, North 0°00'03" West, 2628.14 feet, to the intersection of the center line of a 40 foot public road known as Standiford Avenue; thence along the center line of Standiford Avenue, North 89°35'37" East, 1326.88 feet, to the Northwestern corner of the CONANT NO. 1 ADDITION (294), as per description filed July 27, 1972, as Instrument 3721, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (294), the following courses, South 00°01'08" East, 1375.08 feet; North 86° 07'07" East, 1350.31 feet; South 0°02'09" East, 1333.86 feet, to the point of beginning, containing 125.489 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-603

AMENDMENT TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND RAY E. POTTER FOR REMOVAL OF HOUSE AT CORNER OF 15TH AND NEEDHAM TO EXTEND TIME FOR COMPLETION TO AUGUST 31, 1973

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to/agreement between the City of Modesto and Ray E. Potter for removal of house at corner of 15th and Needham to extend time for completion to August 31, 1973 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 2nd day of July, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-604

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF JEROME G. KOPP AS A MEMBER OF THE HUMAN RIGHTS COMMISSION

WHEREAS, Jerome G. Kopp was appointed a member of the Human Rights Commission on June 17, 1968 and reappointed on March 22, 1971; and

WHEREAS, Jerome G. Kopp has tendered his resignation from the Human Rights Commission effective July 9, 1973; and

WHEREAS, Jerome G. Kopp has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Jerome G. Kopp from the Human Rights Commission is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Jerome G. Kopp 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 9th day of July, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-605

A RESOLUTION ACCEPTING THE BID OF COLLINS ELECTRICAL COMPANY, INC. FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTS AT TULLY AND MT. VERNON

WHEREAS, Resolution No. 73-432, adopted by the Council of the City of Modesto on May 29, 1973, approved the plans and specifications for the construction of Traffic Signals and Street Lights at Tully and Mt. Vernon and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Traffic Signals and Street Lights at Tully and Mt. Vernon were opened at 2:00 P.M. on July 3, 1973 and later tabulated by the Director of Parking and Traffic for the consideration of the Council, and

WHEREAS, the Director of Parking & Traffic has recommended that the bid of Collins Electrical Co., Inc. in the amount of $13,960.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Collins Electrical Co., Inc. in the amount of $13,960.00 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 9th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-606

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $2,960 TO PROVIDE ADDITIONAL FUNDS NEEDED FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTS AT TULLY & MT. VERNON

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

SPECIAL FUND FOR CAPITAL OUTLAY (321)

FROM:	General Reserve (60-321)	$2,960
TO:	Traffic Signal Construction: Tully & Mt. Vernon (6156-56-321)	$2,960

(The low bid for the construction of traffic signals and street lights at Tully and Mt. Vernon was higher than estimated by $2,960. The $2,960 is needed to cover the cost of the project)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-607

A RESOLUTION ACCEPTING THE BID OF PERVO PAINT CO. TO FURNISH ANNUAL REQUIREMENTS OF TRAFFIC LINE PAINT BEGINNING JULY 15, 1973

WHEREAS, Resolution No. 73-509 , adopted by the Council of the City of Modesto on June 18, 1973 , approved the plans and specifications for the furnishing of annual requirements of traffic line paint beginning July 15, 1973
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of annual requirements of traffic line paint beginning July 15, 1973
were opened at 2:15 P.M. on July 3, 1973 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 Pervo Paint Co. in the amount of $2.69 per gal. (white)
$3.13 per gal. (yellow)
$4.29 per gal. (red)
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Pervo Paint Co. in the amount of $2.69 per gal. (white)
$3.13 per gal. (yellow)
$4.29 per gal. (red)
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 July, 19 73, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-608

A RESOLUTION APPROVING REQUEST FOR VARIANCE SUBMITTED BY PRICE ENTERPRISES TO PERMIT A MINIMUM DISTANCE OF FOURTEEN FEET BETWEEN CURB OPENINGS ON PROPERTY LOCATED ON THE SOUTH SIDE OF SCENIC DRIVE, EAST OF THE ROSE AVENUE INTERSECTION (PPD-68)

WHEREAS, Price Enterprises has filed a request with the City of Modesto for a variance to permit a minimum distance of fourteen feet between two driveways at property located on the south side of Scenic Drive, east of the Rose Avenue intersection; and

WHEREAS, Section 7-1.401(b) of the Modesto Municipal Code requires that the minimum distance between driveways serving the same lot or parcel of land shall not be less than twenty feet; and

WHEREAS, the Director of Public Works in a memorandum dated July 5, 1973 has recommended that the variance be approved to permit a minimum distance of fourteen feet between two proposed driveways as requested.

Now, therefore, be it resolved by the Council of the City of Modesto that the variance requested by Price Enterprises to permit a minimum distance of fourteen feet between two driveways on property located on the south side of Scenic Drive, east of Rose Avenue, 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 July, 1973 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-609

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (WHITMORE NO. 1 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on June 25, 1973, certain territory known as WHITMORE NO. 1 Addition, and

WHEREAS, the inclusion of the area contained in WHITMORE NO. 1 Addition 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 WHITMORE NO. 1 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 109.

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

SECTION 5. Monday, August 27, 1973, at the hour of 7:30 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 judgment 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. 109 .

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) 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 Northwestern corner of Whitmore Avenue and Tidewater Southern Railroad Right-of-Way.

(2) On the North side of Whitmore Avenue at the Western line of the Addition.

(3) On the North line of the Addition at the West line of the Tidewater Southern Railroad Right-of-Way.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 109, 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 9th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R C Mansmell
Public Works Department

JLC
7-6-73

May 14, 1973

WHITMORE NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 9, Township 4 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 Southwest corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being the intersection of the Northern line of a 40 foot public road known as Whitmore Avenue and the Western line of the Tidewater Southern Railway Company right of way; thence along said Western line and existing City Limits, North 00°19'15" West, 1940.40 feet; thence leaving the existing City Limits, North 89°50'20" West, 579.67 feet; thence South 00°01'30" West, 1960.45 feet, to a point on the center line of said Whitmore Avenue, said line also being the section line common to Sections 9 and 16, above Township and Range; thence along said center line and said section line, South 89°51'00" East, 591.50 feet, to its intersection with the Southerly extension of the Western line of said Addition (85); thence along said Southerly extension, North 00°19'15" West, 20.00 feet, to the point of beginning, containing 26.354 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-610

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE INDUSTRIAL FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Industrial Fire Protection District in Stanislaus County was annexed to the City of Modesto as Whitmore No. 1 Addition by Resolution No. 73-567 adopted on June 25, 1973, and said addition officially became a part of the City of Modesto on June 27, 1973, 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, THEREFORE, 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 Industrial Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 9th day of July, 1972, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmen:** Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: **Councilmen:** None

ABSENT: **Councilmen:** None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Wenger
Public Works Department

JNO
7/9/73

May 14, 1973

WHITMORE NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 9, Township 4 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 Southwest corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being the intersection of the Northern line of a 40 foot public road known as Whitmore Avenue and the Western line of the Tidewater Southern Railway Company right of way; thence along said Western line and existing City Limits, North 00°19'15" West, 1940.40 feet; thence leaving the existing City Limits, North 89°50'20" West, 579.67 feet; thence South 00°01'30" West, 1960.45 feet, to a point on the center line of said Whitmore Avenue, said line also being the section line common to Sections 9 and 16, above Township and Range; thence along said center line and said section line, South 89°51'00" East, 591.50 feet, to its intersection with the Southerly extension of the Western line of said Addition (85); thence along said Southerly extension, North 00°19'15" West, 20.00 feet, to the point of beginning, containing 26.354 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-611

A RESOLUTION APPROVING A VARIANCE FROM THE STANDARD SIDEWALK FINISH ON THE LAS PALMAS FRONTAGE OF PROPERTY LOCATED AT 107 LAS PALMAS AVENUE

WHEREAS, Orval D. Fowler, operator of Bonded Pest Control located at 107 Las Palmas Avenue, has requested a variance from the City of Modesto's standard sidewalk finish on a portion of the sidewalk on the Las Palmas frontage of the property; and

WHEREAS, Mr. Fowler has proposed construction of a standard sidewalk five feet wide adjacent to the property line; and

WHEREAS, Mr. Fowler has requested permission to construct a concrete sidewalk seven feet wide with exposed aggregate surface in the remaining area between the five-foot sidewalk and curb line; and

WHEREAS, the Director of Public Works in a memorandum dated July 5, 1973 has recommended that Mr. Fowler's request for a variance from the City's sidewalk finish be approved in the area between the five-foot sidewalk and the curb line.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Orval D. Fowler for a variance from the City's standard sidewalk finish to permit construction of a concrete sidewalk seven feet wide with exposed aggregate surface in the remaining area between the five-foot sidewalk and curb line on the Las Palmas frontage of the property at 107 Las Palmas, 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 July, 1973 by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-612

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CONSUELO CAMARENA FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 612 ANTHONY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Consuelo Camarena

for sewer service to property outside the City at 612 Anthony 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 9th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-613

A RESOLUTION ACCEPTING IMPROVEMENTS IN RONALD GARDENS SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Edmund L. Smith and Ruby J. Smith, husband and wife, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $28,900 and $14,450 respectively to guarantee improvements in Ronald Gardens Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated July 5, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Ronald Gardens Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $28,900 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $14,450 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 9th day of July, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 614

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 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 $180,000.00, 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 $180,000.00 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 $180,000.00 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 requests 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 $180,000.00, and that it requests the County Auditor of said county to compute the rate of taxation needed to raise the sum of $180,000.00 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 9th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-615

A RESOLUTION APPROVING THE FINAL MAP OF THE SYLVAN MEADOWS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Stone Bros. and Associates, a co-partnership,

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 24.464 acres, known as the SYLVAN MEADOWS Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 16th day of January, 1973, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said SYLVAN MEADOWS 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 of the SYLVAN MEADOWS Subdivision 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 in the amount of One Thousand, Four Hundred Thirty-Nine and 70/100ths ($1,439.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 July, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-616

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON POSSIBLE REVOCATION OF RED TOP TAXI LICENSE DUE TO FAILURE TO PAY REQUIRED FEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 23, 1973, at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of possible revocation of Red Top Taxi license due to failure to pay required fees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-617

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ASSOCIATED DATA SYSTEMS, INC. TERMINATING THE TWO CURRENT AGREEMENTS IN CONNECTION WITH COMPUTER SYSTEMS AND AUTHORIZING PAYMENT OF COMPLETED PORTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Associated Data Systems, Inc.

xxxxx terminating two agreements, each dated March 19, 1973, in connection with computer systems and authorizing payment of that portion of utility billing system work which has been completed 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 July, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-618

AMENDMENT TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MONROE TAYLOR GRANTING A 5 PER CENT COST OF LIVING WAGE INCREASE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to the/agreement between the City of Modesto and Monroe Taylor granting a 5 per cent cost of living wage increase

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amendment to the/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 July, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-619

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF VALLEY CONSTRUCTION CO. FOR AN ENCROACHMENT PERMIT FOR A 42" FENCE IN THE PUBLIC RIGHT OF WAY IN DAISY PARK SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 23, 1973 , at 7:55 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Valley Construction Co. for an encroachment permit for a 42" fence in the public right of way in Daisy Park Subdivision.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July , 1973 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-620

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF RAY LANGLEY FROM THE DOWNTOWN IMPROVMENT DISTRICT ADVISORY BOARD

WHEREAS, Ray Langley was appointed a member of the Downtown Improvement District Advisory Board on August 26, 1968; and

WHEREAS, Mr. Langley has tendered his resignation from the Downtown Improvement District Advisory Board effective July 16, 1973; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Mr. Langley from the Downtown Improvement District Advisory Board is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Mr. Langley 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 16th day of July, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-621

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF CHARLES V. SALES FOR APPLICATION FOR FIVE CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR TAXICABS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 23, 1973, at 7:50 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Charles V. Sales for application for five Certificates of Public Convenience and Necessity for taxicabs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 63-622

A RESOLUTION APPROVING USE OF DOWNTOWN SIDEWALKS JULY 19, 20 AND 21, 1973 FOR SIDEWALK SALES

WHEREAS, the Modesto Downtown Improvement District has requested the use of downtown sidewalks on July 19, 20 and 21, 1973 for a Sidewalk Sale.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of the Modesto Downtown Improvement District for use of downtown sidewalks on July 19, 20 and 21, 1973 for a Sidewalk Sale 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 July, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-623

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL TO CONSIDER AN APPLICATION FOR A LICENSE TO COLLECT SWILL, AND SETTING THE DAY, HOUR AND PLACE FOR HEARING THEREON

WHEREAS, T. L. Civalier has filed an application for a license to collect swill, and

WHEREAS, Section 5-5.22 of the Modesto Municipal Code provides that the Council shall pass a resolution declaring its intention to consider said application, and shall set forth notice of the day, hour and place, when and where any and all persons may appear before the Council and be heard thereon,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares its intention to consider the application of T. L. Civalier for a license to collect swill.

BE IT FURTHER RESOLVED that August 6, 1973 at 4:00 o'clock P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the day, hour and place when and where any and all persons may appear before the Council and be heard regarding said application.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-624

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SERVICE YARD EXPANSION IMPROVEMENTS (Matteson Construction Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Service Yard Expansion Improvements has been completed by Matteson Construction Co.

in accordance with the contract agreement dated March 5, 1973

NOW, THEREFORE, BE IT RESOLVED that the construction of Service Yard Expansion Improvements be accepted from said contractor, Matteson Construction Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $29,957.00 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 16th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-625

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN LINCOLN MANOR #1, DRAGOO PARK #2, ERIN ESTATES NO. 2 AND EASTRIDGE NO. 2

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

SECTION 1. The plans and specifications for the installation of waterlines in Lincoln Manor #1, Dragoo Park #2, Erin Estates #2 and Eastridge #2
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 31, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-626

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TRAFFIC SIGNS AND ACCESSORIES

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

SECTION 1. The plans and specifications for furnishing traffic signs and accessories

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 31, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-627

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. (CLAREMONT NO. 4 ADDITION)

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 May 29, 19 73, duly adopted Resolution No. 73-443 (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. 106 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, July 16, 19 73, 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. 106 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. 106 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. 106, 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. 106, 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 16th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

Kull 6-4-73

By R C Mongrad
Public Works Department

March 7, 1973

CLAREMONT NO. 4 ADDITION

All that real property in the State of California, County of Stanislaus, in 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 the Northwestern corner of the CLAREMONT NO. 3 ADDITION (278), as per description filed November 4, 1971, as Instrument 42166, Stanislaus County Records, and a Southwestern corner of the SYLVAN-COFFEE NO. 1 ADDITION (242), as per description filed October 9, 1969, as Instrument 33952, Stanislaus County Records, said point being also the intersection of a North-South quarter quarter section line and the East-West quarter section line of Section 9, said quarter section line being also the center line of a public road known as Sylvan Avenue; thence leaving the existing City Limits, and along said quarter section line, North 89° 17' 00" West, 509.50 feet to a Northeastern corner of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (275) the following courses; South 00° 45' 00" East, 435.00 feet; South 89° 15' 00" West, 17.00 feet; South 00° 45' 00" East, 101.00 feet; North 88° 00' 00" East, 276.31 feet; North 00° 44' 25" West, 14.98 feet; North 89° 15' 35" East, 250.00 feet, to a point on the CLAREMONT NO. 3 ADDITION (278); thence along the boundary of said ADDITION (278) North 00° 44' 25" West, 501.99 feet, to the point of beginning, containing 6.090 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 July 16, 1973 19____, 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 Councilman Dunlap, seconded by Councilman Kullijian, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

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: July 17, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-628

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DAVID C. AND JANET L. TANNER FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1018 RAUBE COURT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and David C. and Janet L. Tanner

for sewer service to property outside the City at 1018 Raube

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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-629

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND R. W. PEARSON, PETE BINDA AND E. E. BELYEU FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3460 McHENRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and R. W. Pearson, Pete Binda and E. E. Belyeu for sewer service to property outside the City at 3460 McHenry Ave. 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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-630

PROGRAM SUPPLEMENT NO. 2 TO THE MASTER
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND FEDERAL-AIR URBAN SYSTEM PROGRAM FOR THE IMPROVEMENT OF SCENIC DR. FROM DOWNEY AVENUE TO THE COUNTY HOSPITAL

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Program Supplement No. 2 to the Master agreement between the City of Modesto and Federal-Aid Urban System Program for the Improvement of Scenic Drive from Downey Ave. to the County Hospital be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said Program Supplement No. 2 to the Master 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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 631

A RESOLUTION AUTHORIZING APPLICATION FOR A $58,700.00 GRANT MADE AVAILABLE THROUGH THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 ADMINISTERED BY THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE.

WHEREAS, the City of Modesto desires to continue a Community Response to Drug Abuse through Head Rest, Inc., to be funded in part from funds made available through the Omnibus Crime Control and Safe Streets Act of 1968 administered by the California Council on Criminal Justice,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto authorizes Head Rest, Inc., to submit the attached Application for Grant for Law Enforcement Purposes to the California Council on Criminal Justice for its consideration.

BE IT FURTHER RESOLVED that in the event that the California Council on Criminal Justice consents to fund the project, the City Manager is authorized to execute the contract on behalf of the City of Modesto.

The City of Modesto shall act as fiscal agent and shall receive and disburse funds and account for said funds in accordance with the grant provisions.

BE IT FURTHER RESOLVED that the City of Modesto will seek funds after the expiration of grant funds to continue the project until it is no longer deemed necessary.

BE IT FURTHER RESOLVED that the grant funds received hereunder shall not be used to supplant ongoing law enforcement expenditures.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-632

A RESOLUTION ACCEPTING THE BID OF HAROLD TULLER FOR CONSTRUCTION AND REPAIR OF CURBS, DRIVEWAYS AND SIDEWALKS AT VARIOUS LOCATIONS #3

WHEREAS, Resolution No. 73-548 , adopted by the Council of the City of Modesto on June 25, 1973 , approved the plans and specifications for the Construction and Repair of Curbs, Driveways and Sidewalks at Various Locations #3
and authorized the calling for bids, and

WHEREAS, the bids received for the Construction and Repair of Curbs, Driveways and Sidewalks at Various Locations #3
were opened at 10:10 A.M. on July 10, 1973 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 Harold Tuller in the amount of $27,268.45

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Harold Tuller in the amount of $27,268.45

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 July, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Newton, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-633

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN COLEMAN ACRES #3, COFFEE VILLA, LINCOLN SQUARE AND FLINTRIDGE ESTATES #1

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

SECTION 1. The plans and specifications for installation of waterlines in Coleman Acres #3, Coffee Villa, Lincoln Square and Flintridge Estates #1 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 7, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-634

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINES IN ARINGTON MANOR AND KINGSWOOD ESTATES #2 (Joe Martin)

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterlines in Arington Manor and Kingswood Estates #2 has been completed by Joe Martin

in accordance with the contract agreement dated April 23, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterlines in Arington Manor and Kingswood Estates #2 be accepted from said contractor, Joe Martin

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $10,863.75 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 23rd day of July , 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-635

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $4,300 TO PROVIDE FUNDS FOR THE PURCHASE OF A POWER RESCUE TOOL

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$4,300
TO:	Power Rescue Tool (5402-21-101)	$4,300

(To provide for the purchase of a power rescue tool)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-636

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR POWER RESCUE TOOL

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

SECTION 1. The plans and specifications for Power Rescue Tool 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 7, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-637

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $30,800 TO PROVIDE ADDITIONAL FUNDS FOR DRESSING ROOM FACILITIES AT DEL WEBB FIELD

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

SPECIAL FUND FOR CAPITAL OUTLAY (321)

FROM:	Genera 1 Reserve (60-321)	$30,800
TO:	Del Webb/Shower/Dressing Room/Fence (6400-31-321)	$30,800

(This amount is necessary to cover the additional cost of the restroom, shower and dressing room facility at Del Webb Field, which exceeded the amount previously estimated)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-638

A RESOLUTION ACCEPTING THE BID OF WILLIAM MINENI FOR CONSTRUCTION OF DRESSING ROOM AT DEL WEBB FIELD

WHEREAS, Resolution No. 73-514 , adopted by the Council of the City of Modesto on June 18, 1973 , approved the plans and specifications for the construction of Dressing Room at Del Webb Field

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Dressing Room at Del Webb Field

were opened at 2:10 P.M. on July 3, 1973 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 William Mineni in the amount of $55,595.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of William Mineni in the amount of $55,595.00

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 23rd day of July, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-639

A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS COFFEE-FLOYD NO. 2 ADDITION AND DECLARING THE INTENTION OF THE COUNCIL TO PROCEED WITH THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 73-451, adopted on May 29, 1973, the Council fixed the 23rd day of July, 1973, at the hour of 7:30 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 considering the proceedings initiated by the Council of the City of Modesto, on its own motion, to annex the hereinafter described territory to said City, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 73-451 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and in the Riverbank News, a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus, said publications being completed at least twenty (20) days prior to the date set for the hearing, as required by Section 35311 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and no person owning real property within such territory appeared at said time and place to protest said annexation and no written protests have been filed prior to final adjournment of the hearing on protests to the proposed annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that a majority protest against the proposed annexation of said COFFEE-FLOYD NO. 2 Addition has not been made and hereby declares its intention to

proceed with the annexation of said territory, on its own motion, which territory is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R C Maynard
Public Works Department

R Hall 6-1-73

Corrected April 17, 1973

COFFEE-FLOYD NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in Section 16, 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 COFFEE-FLOYD ADDITION (272), as per description filed June 22, 1971, as Instrument 23064, Stanislaus County Records, said point also being the intersection of the Section line common to Section 16 and Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and the quarter-quarter section line of the Northeast quarter of Section 16; thence along said quarter-quarter section line, North 89°29'40" West, 431.00 feet, to a Northeastern corner of the SHERWOOD TERRACE ADDITION (183), as per description filed November 9, 1965, as Instrument 43731, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (183), the following courses, South 0°54'15" East, 122.44 feet; North 89°30'40" West, 100.00 feet; South 0°54'15" East, 70.00 feet, to the Northwestern corner of the EAST FLOYD NO. 3 ADDITION (122), as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Recrods; thence along the existing City Limits and the boundary of said ADDITION (122) the following courses, South 89°27'57" East, 346.00 feet; South 0°53' East, 214.00 feet, to a Northwestern corner of the SHERWOOD MEADOWS ADDITION (175), as per description filed March 26, 1965, as Instrument 11993, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (175), the following courses, South 89°30' East, 185.01 feet; North 0°53' West, 406.64 feet, to the point of beginning, containing 2.973 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-640

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(114). (JIM PRICE - OAKMONT P-D FOR GARDEN COURT HOMES)

WHEREAS, a verified application for an amendment to Section 27-3-9 of the Zoning Map was filed by Jim Price on February 16, 19 73, to prezone to Planned Development Zone, P-PD, the following described property:

All that portion of the northeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

COMMENCING at the interior quarter corner of said Section 27; thence South 89° 41' East along the east-west quarter section line a distance of 29.04 feet; thence North 0° 33' 03" West along a line parallel to and 29.04 feet distant easterly at right angles from the north-south quarter line of said Section 27, a distance of 37.50 feet to the north line of the Modesto Irrigation District Lateral No. 2, and the true point of beginning of this description; thence continuing North 0° 33' 03" West, parallel to and 29.04 feet distance easterly at right angles from said north-south quarter line of Section 27, a distance of 764.12 feet to the centerline of Edgebrook Drive a proposed 60.00 foot wide public street; thence along said centerline of Edgebrook Drive the following seven (7) courses:

1) North 89° 26' 57" East, 336.25 feet; 2) thence in a northeasterly direction along a curve concave to the northwest through a central angle of 56° 17' 39" having a radius of 250.00 feet and a curve length of 245.63 feet; 3) North 33° 09' 18" East 318.10 feet; 4) thence in a northeasterly direction along a curve concave to the southeast through a central angle of 33° 32' 42" having a radius of 250.00 feet and a curve length of 146.37 feet; 5) North 66° 42' East, 384.65 feet; 6) thence in a northeasterly direction along a curve concave to the southeast through a central angle of 23° 30' having a radius of 250.00 feet and a curve length of 102.54 feet; 7) South 89° 48' East, 10.42 feet to the centerline of Fortuna Avenue, as shown on the Official Map of Dry Creek Estates, filed in Volume 21 of Maps at Page 55 Stanislaus County Records; thence South 0° 36' East, along said centerline of Fortuna Avenue, a distance of 777.54 feet; thence in a southwesterly direction along a curve concave to the northwest through a central angle of 45° 15' 05" having a radius of 250.00 feet and a curve length of 197.45 feet to a point of reverse curve; thence in a southwesterly direction along a curve concave to the southeast through a central angle of 45° 15' 05" having a radius of 250.00 feet and a curve length of 197.45 feet; thence South 0° 36' East, a distance of 284.52 feet to the intersection with the north line of the Modesto Irrigation District Lateral No. 2; thence North 89° 41' West, along said north line of Lateral No. 2 a distance of 1150.49 feet to the point of beginning.

Excepting therefrom the westerly 10 feet of Fortuna Avenue, being a 40-foot part-width street.

WHEREAS, after public hearing held on June 19, 19 73, it was found and determined by the Planning Commission that prezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The multiple residential development as proposed in this planned development zone meets the established criteria for R-1 density residential development established by the Planning Commission.

2. The proposed Garden Court single-family housing offers a variety of housing types in accordance with the General Plan.

3. The total development offers architectural variety, rental-sale variety, and a range of rental-sale prices not typically found in Modesto in so small an area. This variety will enrich the neighborhood.

WHEREAS, after a public hearing held on July 23, 19 73, the Council found and determined that the application of Jim Price 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. 1278 -C.S. on the 23rd day of July, 19 73, prezoning the above-described property to Planned Development Zone, P-PD(114).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(114), is hereby approved in accordance with the plan titled "Master Site Plan, Oakmont Park" along with accompanying plans, dated June 19, 1973, which said plans are on file in the office of the Planning Director, subject to the following conditions:

1. That all development shall be in accordance with the subject plans above.

2. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code. If the subdivision is to be accomplished in stages, the first stage shall include as a minimum, dedication and improvement of that portion of the greenbelt common open space area, adjacent to the particular stage of development, dedication and improvement of all of Edgebrook Drive, and all of Fortuna Street adjacent to the subject property.

3. That all parking and driveway areas be improved in accordance with provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.

4. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Director of Planning and the Director of Parks and Recreation. The landscaping and irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plans. Irrigation shall be by underground sprinkler system. Landscaping plans shall include as a minimum, typical treatment of a dwelling on the lot and detailed plans of the "greenbelt" common open space area.

5. That all landscaping, fences and walls be maintained and that the premises be kept free of weeds, trash and other debris.

6. That the development shall be connected to the City water and sanitary sewer facilities in accordance with the requirements of the Director of Public Works.

7. That prior to the issuance of a building permit, the developer shall submit to the Fire Chief and the Director of Public Works, for their approval, a plan showing the proposed location of all fire hydrants. The number of hydrants and their installation shall be in accordance with the requirements of the Fire Chief.

8. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

9. That prior to the issuance of a building permit for any development, the developer shall submit evidence, satisfactory to the City Attorney, that there has been created a Homeowners Association to guarantee "greenbelt" improvement and maintenance in accordance with the approved plans.

10. That any signs within the entire P-D zone shall comply with the R-1 Zone sign provisions.

11. That building plans for the patio houses shall indicate a standard detail for adequate storage for garbage and garden refuse. Said storage areas shall be screened from view for any public street, and shall be subject to approval of the Planning Director. Each garden court home shall have such a storage unit provided in accordance with the plans approved by the Planning Director.

12. That up to six model homes be permitted at the southwest corner of Edgebrook Drive and Fortuna Street in advance of other development, said site for up to six model homes to be created under the City's parcel map procedure.

13. That prior to occupancy of more than 77 dwelling units in the northeast portion of the development as indicated on the plan, the developer shall construct either permanent or temporary access from Fortuna Avenue southeast across the M.I.D. Lateral #2 and connect to Encina Avenue. Written approval shall be obtained from the M.I.D. as a condition of the subdivision and all plans and specifications shall be submitted for approval by the Director of Public Works. In any event, the developer shall be responsible for the ultimate permanent standard crossing to Encina at this intersection, and if a temporary crossing is used, the developer shall post the appropriate security as established by the City Attorney and the Director of Public Works to guarantee such permanent crossing.

14. That the entire development be served with positive storm drainage.

15. That an 8-foot high decorative masonry pilaster and redwood grapestake fence shall be constructed along the south and west boundaries of the subject property and shall be completed prior to occupancy of any dwellings adjacent to the fence. The applicant may substitute an 8-foot high wood frame and stucco wall, properly supported, for the above fence type only if said fencing details are approved by the Planning Commission, the Chief Building Official, and the Planning Director prior to the issuance of a building permit for the fence.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(114):

That the entire construction program be accomplished in one phase, construction to begin on or before September 1, 1975, and completion to be not later than September 1, 1977.

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 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 prezoning the above-described property to Planned Development Zone, P-PD(114) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon,

NOES: Councilmen: Mayor Davies

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Fields
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-641

A RESOLUTION GRANTING THE REQUEST OF CHARLES V. SALES FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE FIVE (5) TAXICABS IN THE CITY OF MODESTO.

WHEREAS, Charles V. Sales, proposing to do business as Modesto Cab, has filed an application, dated July 10, 1973, for Certificates of Public Convenience and Necessity to operate five (5) taxicabs in the City of Modesto, and

WHEREAS, a public hearing was set by the City Council for July 23, 1973, at 7:50 o'clock P.M. in the Council Chambers in the City Hall located at 801 11th Street, Modesto, to consider said application, and

WHEREAS, the public hearing on said application has been held at said time and place, and

WHEREAS, the City Manager has caused the Director of Parking and Traffic to make an investigation and report, in writing, to the City Council on said application,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines as follows:

1. That the public convenience and necessity requires the operation of the additional proposed taxicab service,

2. That Charles V. Sales be granted Certificates of Public Convenience and Necessity to operate five (5) taxicabs in the City of Modesto under the name of Modesto Cab.

3. That the Director of Parking and Traffic shall not issue any of the certificates authorized hereby until said Charles V. Sales shall have complied with all of the requirements of Chapter 6 of Title 4 of the Modesto Municipal Code, as amended by Ordinance No. 1280-CS and any subsequent amendments to said chapter, necessary to be complied with before the commencement or continuation of operation of the additional proposed taxicab service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Hemminger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
Resolution No. 73-642

A RESOLUTION GRANTING A TEMPORARY ENCROACHMENT PERMIT TO VALLEY CONSTRUCTION CO. FOR 42" FENCE IN PUBLIC RIGHT OF WAY IN DAISY PARK SUBDIVISION

WHEREAS, Valley Construction Co. has filed a request with the Council of the City of Modesto for permission to allow a 42" high fence to remain in the public right of way at the back edge of the sidewalk adjacent adjacent to the model homes in Daisy Park Subdivision; and

WHEREAS, July 23, 1973 at 7:55 P.M. was set as the time and place for consideration of the request; and

WHEREAS, the 42" high fence was constructed within the public right of way without benefit of an encroachment permit; and

WHEREAS, the Director of Public Works in a memorandum dated July 16, 1973 recommended that the encroachment permit not be granted inasmuch as Valley Construction Co. was in similar violation by the construction of a fence in the public right of way along the frontage of model homes of Coffee Plaza No. 6 Subdivision in January 1973.

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

SECTION 1. A temporary encroach permit for a three-month period, effective the date of the adoption of this resolution, is hereby granted to Valley Construction Co. to allow a 42" high fence to remain in the public right of way along the frontage of the model homes of Daisy Park Subdivision.

SECTION 2. Said revocable encroachment permit is granted subject to the conditions set forth herein, which conditions permittee agrees, by acceptance of this permit, to faithfully perform:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any

kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee shall file a copy of policy or certificate of insurance with the City Clerk as required by Section 7-1.109 of the Municipal Code for all encroachments in the public right of way.

(c) Permittee shall remove the fence from the public right of way by October 22, 1973.

SECTION 3. The City Clerk shall furnish permittee with a copy of this resolution. Permittee shall have ten (10) days from and after the adoption of this resolution within which to file written acceptance of this permit 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 23rd day of July, 1973 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-643

A RESOLUTION AUTHORIZING AN APPLICATION FOR STATE AID FOR GRADE CROSSING PROTECTION IMPROVEMENT.

WHEREAS, the State of California, under Chapter 1739, Statutes of 1953, has appropriated funds for allotment to counties and cities so that they may engage in the construction of railroad grade crossing protection, and

WHEREAS, the City desires to apply for an allotment of State aid for the construction of protection for railroad grade crossings, and

WHEREAS, an application to the Public Utilities Commission of the State of California has been prepared, and

WHEREAS, the City of Modesto has made provision for that portion of the cost of the project not requested as an allotment from the State;

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto submit the aforesaid application for State aid for the construction of railroad grade crossing protection to the Public Utilities Commission requesting an allotment of Three Thousand, Eight Hundred Eighty-Nine and 27/100ths ($3,889.27) Dollars, or of an allotment of such amount as may be allotted by the Public Utilities Commission.

BE IT FURTHER RESOLVED that the City of Modesto hereby certifies the total cost paid for the construction of protection for railroad crossing No. B-110.9 and Blue Gum Avenue, which the City of Modesto is making under said Act, is Seven Thousand Seven Hundred Seventy-Eight and 55/100ths ($7,778.55) Dollars.

BE IT FURTHER RESOLVED that for the purpose of this request, JOHN C. KEEFE, City Manager of the City of Modesto, 801 11th Street, Modesto, California, be and he is hereby designated as the authorized agent of the City of Modesto, and is hereby authorized and directed to sign the herein mentioned application of the City of Modesto, and to submit the same to the Public Utilities Commission, together with a certified statement of the total actual cost to be paid for construction of the project herein mentioned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-644

A RESOLUTION RESCINDING RESOLUTION NO. 73-631 ENTITLED "A RESOLUTION AUTHORIZING APPLICATION FOR A $58,700.00 GRANT MADE AVAILABLE THROUGH THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 ADMINISTERED BY THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE."

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

SECTION 1. Resolution No. 73-631 which was adopted by the City Council at its meeting of July 16, 1973, and which is entitled "A Resolution Authorizing Application For a $58,700.00 Grant Made Available Through The Omnibus Crime Control and Safe Streets Act of 1968 Administered By The California Council On Criminal Justice" is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-645

A RESOLUTION ACCEPTING IMPROVEMENTS IN DAISY PARK NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Norman J. Winsor and Lola Jean Winsor, husband and wife, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $53,000 and $26,500 respectively to guarantee improvements in Daisy Park No. 1 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated July 16, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Daisy Park No. 1 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $53,000 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $26,500 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 23rd day of July, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-646

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND YOSEMITE JUNIOR COLLEGE DISTRICT FOR WATER AND SEWER SERVICE FOR THE WEST CAMPUS SITE ON BLUE GUM AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Yosemite Junior College District

for water and sewer service for the West campus site on Blue Gum 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 23rd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/21-6-12

MODESTO CITY COUNCIL
RESOLUTION NO. 73-647

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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 improvements described in the notices which are attached hereto and incorporated by reference herein.

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 6th day of August, 1973, at 4:05 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 23rd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/21-6-12

(a) Sidewalk at 512 W. Granger Ave., Lot 2, Block 6128 (Elmo Gerbo)

(b) Sidewalk at 506 W. Granger Ave., Lot 3 of Block 6128 (Ivan H. Gillette)

(c) Sidewalk at 500 W. Granger Ave., Lot 4, Block 6128 (Pauline J. Stockham)

(d) Sidewalk at 444 W. Granger Ave., Lot 5 of Block 6128. (Lawrence E. Warburton)

(e) Sidewalk at 438 W. Granger Ave., Lot 6 of Block 6128. (Edward J. Ward)

(f) Sidewalk at 432 W. Granger Ave., Lot 7 of Block 6128. (Marilyn L. Gulley)

(g) Sidewalk at 426 W. Granger Ave., Lot 8 of Block 6128. (Amilcare A. Sereno)

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Marilyn L. Gulley

ADDRESS 432 W. Granger Av , Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 6128 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 119-2403-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting W. Granger Av on the North side of Block 6128 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:05 p.m. on the 6th day of August, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-648

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 August 6, 1973, at 4:10 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 attached 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 23rd day of July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

SIDEWALK COST HEARINGS, AUGUST 6, 1973 AT 4:10 P.M.

(a) Sidewalk at 1120 Grantland Court, Lot 13 of Block 1006. (Phillis A. Bjornson $161.60)

(b) Curb at 405 Wilson Ave., a portion of Block 2027. (Jean J. Brill - $303.60)

(c) Curb and sidewalk along Encina Ave. and along Wilson Ave. at 416 Wilson Ave., a portion of Block 2028. (Thomas K. Dempsey - $1,480.40)

(d) Sidewalk along Sherwood Ave. at 1505 Sherwood Ave., Lot 9 of Block 6065. (Paul Doane - $225.00)

(e) Curb along Wilson Ave. at 401 Wilson Ave., the south 70 feet of Lot 7 of Block 2027. (Helen L. Lindgren - $283.00)

(f) Sidewalk along W. Briggsmore Ave. and Along Sherwood Ave. at 1802 Sherwood Ave., a portion of Block 6808. (Frances Pausini - $605.00)

(g) Sidewalk along E. Morris Ave. and along John Muir Ct. at 101 John Muir Ct., Lot 1 of Block 606. (Viola M. Patton - $491.60)

(h) Sidewalk along E. Morris Ave. and along Hunter Ave. at 502 Hunter Ave., Lot 5 of Block 1002A. (Kenneth L. Waddell - $510.00)

(i) Sidewalk along W. Roseburg Ave. and along Brady Ave. at 433 W. Roseburg Ave., Lot 28 of Block 6003.(John P. Williams - $610.00)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-649
REVISED ACCESS

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND ALLEN, WALKER, INC. PERTAINING TO COMMON ACCESS WAYS BETWEEN PARKING AREAS AND TULLY ROAD IN ZEIGLER ESTATES SUBDIVISION AT THE SOUTHWEST CORNER OF TULLY ROAD AND LEVON AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the revised access/agreement between the City of Modesto and Allen, Walker, Inc. ~~for~~ pertaining to common access ways between parking areas and Tully Road in Zeigler Estates subdivision at the southwest corner of Tully Road and Levon Avenue be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said revised access/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 July, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-650

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MARVIN E. TACKETT AND WANDA L. TACKETT FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 913 WYCLIFFE CT.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Marvin E. Tackett and Wanda L. Tackett

for sewer service to property outside the City at 913 Wycliffe Ct.

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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-651

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND EUGENE P. SIMMS AND RAYE SIMMS FOR RENTAL OF HOME AND ACCESSORY BUILDINGS AT 645 McCLURE ROAD, MODESTO, CALIFORNIA (Dry Creek Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Eugene P. Simms and Raye Simms for rental of home and accessory buildings at 645 McClure Road for a term commencing July 1, 1973 and ending June 30, 1974 at the rate of $100 per month be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said lease/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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, MAYor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-652

LEASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND EUGENE P. SIMMS AND RAYE SIMMS FOR RENTAL OF AGRICULTURAL LAND AT 645 McCLURE ROAD (Dry Creek Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Eugene P. Simms and Raye Simms for rental of agricultural land at the rate of 15% of the value of the peach crop produced on the property, commencing July 1, 1973 and ending October 30, 1973 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said lease/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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-653

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND DON L. THIEL FOR RENTAL OF PROPERTY ON TENTH STREET BETWEEN F AND G STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Don L. Thiel for rental of property on Tenth Street between F and G Streets at the rate of $35.00 per month, payable in advance - lease to expire July 31, 1974 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said lease/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 July, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-654

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT ON PROPOSED FIFTH BUS ROUTE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 13, 1973 , at 7:40 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report on proposed fifth bus route.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, , 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-655

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR STREET LIGHTING MODERNIZATION PHASE 5 - 1972-73

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

SECTION 1. The plans and specifications for Street Lighting Modernization Phase 5 - 1972-73 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 28, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-656

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ARBOR AT MARSHALL PARK (Matteson Construction Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Arbor at Marshall Park has been completed by Matteson Construction Co. in accordance with the contract agreement dated June 4, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of Arbor at Marshall Park be accepted from said contractor, Matteson Construction Co. that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $10,590.00 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 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-657

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN SONOMA GARDENS, CAPISTRANO PARK #1, 2, & 3, GREENFIELD VILLAGE #4 AND WYLDEWOOD ESTATES NO. 4

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

SECTION 1. The plans and specifications for installation of waterlines in Sonoma Gardens, Capistrano Park #1, 2, & 3, Greenfield Village #4 and Wyldewood Estates #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 August 21, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-658

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE IMPROVEMENT OF RUMBLE ROAD AT T.W.S.R.R. CROSSING

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

SECTION 1. The plans and specifications for the Improvement of Rumble Road at T.W.S.R.R. Crossing

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 28, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-659

A RESOLUTION ACCEPTING THE BID OF HAWKINS/HAWKINS CO., INC. FOR FURNISHING TRAFFIC SIGNS AND ACCESSORIES

WHEREAS, Resolution No. 73-626 , adopted by the Council of the City of Modesto on July 16, 1973 , approved the plans and specifications for the furnishing of Traffic Signs & Accessories

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of Traffic Signs & Accessories

were opened at 2:00 P.M. on July 31, 1973 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 Hawkins/Hawkins Co., Inc. at an estimated cost of $4,100.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Hawkins/Hawkins Co., Inc. at an estimated Cost of $4,100

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 August, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-660

A RESOLUTION ACCEPTING THE BID OF RUTAN CONSTRUCTION CO. FOR INSTALLATION OF WATERLINES IN LINCOLN MANOR #1, DRAGOO PARK #2, ERIN ESTATES #2 AND EASTRIDGE #2

WHEREAS, Resolution No. 73-625 , adopted by the Council of the City of Modesto on July 16, 1973 , approved the plans and specifications for the installation of Waterlines in Lincoln Manor #1, Dragoo Park #2, Erin Estates #2 and Eastridge #2 and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Waterlines in Lincoln Manor #1, Dragoo Park #2, Erin Estates #2 and Eastridge #2 were opened at 10:00 A.M. on July 31, 1973 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 Rutan Construction Co. in the amount of $18,798.75

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Rutan Construction Co. in the amount of $18,798.75

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 6th day of August, 19 73 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/21-6-12

MODESTO CITY COUNCIL
RESOLUTION NO. 73-661

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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, and

WHEREAS, the Council, did, on July 23, 1973, adopt its Resolution No. 73-647, 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, the Council did by said resolution, set the 6th day of August, 1973, at 4:05 o'clock 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, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 73-647, and

WHEREAS, at the time set for hearing the protests and objections, if any, 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 incorporporated 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 Resolution No. 73-647 and 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 6th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/21-6-12

(a) Sidewalk at 512 W. Granger Ave., Lot 2, Block 6128 (Elmo Gerbo)
(Drop from agenda - doing own work)

(b) Sidewalk at 506 W. Granger Ave., Lot 3 of Block 6128 (Ivan H. Gillette) (Drop from agenda - doing own work)

(c) Sidewalk at 500 W. Granger Ave., Lot 4, Block 6128 (Pauline J. Stockham)
(Drop from agenda - doing own works)

(d) Sidewalk at 444 W. Granger Ave., Lot 5 of Block 6128. (Lawrence E. Warburton)
(Drop from agenda - doing own work)

(e) Sidewalk at 438 W. Granger Ave., Lot 6 of Block 6128. (Edward J. Ward)
(Drop from agenda - doing own work)

(f) Sidewalk at 432 W. Granger Ave., Lot 7 of Block 6128. (Marilyn L. Gulley)

(g) Sidewalk at 426 W. Granger Ave., Lot 8 of Block 6128. (Amilcare A. Sereno)
(Drop from agenda - doing own work)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-662

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. (1121 Grantland Ct., Lot 13 of Block 1006 - Phyllis A. Bjornson - $161.60)

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, August 6, 19 73, at 4:10 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 $161.60.

SECTION 2. That the cost of the aforesaid work, being the amount of $161.60, be assessed in 3 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 of Block 1006 of Grant Tract as per map filed May 26, 1950 in Volume 16 of Maps, Page 74, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 34-0321-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 6th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-663

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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. (405 Wilson Ave., a portion of Block 2027 - Jean J. Brill - $303.60)

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 gutter on property abutting the property hereafter described, and

WHEREAS, August 6, 1973, at 4:10 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 $303.60.

SECTION 2. That the cost of the aforesaid work, being the amount of $303.60, be assessed in 6 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 15 feet of Lot 6 and the South 45 feet of Lot 5 of Block 2 of Las Palmas Tract as per map filed February 20, 1930 in Volume 11 of Maps, Page 16, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-0719-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 6th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-664

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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. (Along Encina Ave. and along Wilson Ave. at 416 Wilson Ave., a portion of Block 2028 - Thomas K. Dempsey - $1,480.40)

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, gutter and sidewalk on property abutting the property hereafter described, and

WHEREAS, August 6, 1973, at 4:10 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 $1,480.40.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,480.40, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 70 feet of the North 130 feet of the East 124.64 feet of the West 154.64 feet of Lot 36 of Wilson School Tract as per map filed March 24, 1924 in Volume 9 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-0725-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 6th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-665

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. (Along Sherwood Ave. at 1505 Sherwood Ave., Lot 9 of Block 6065 - Paul Doane - $225.00)

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, August 6, 1973, at 4:10 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 $225.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $225.00, be assessed in 4 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 6065 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 119-2437-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 6th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-666

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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. (Along Wilson Ave. at 401 Wilson Ave., the south 70 feet of Lot 7 of Block 2027 - Helen L. Lindgren - $283.00)

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 gutter on property abutting the property hereafter described, and

WHEREAS, August 6, 1973, at 4:10 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 $283.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $283.00, be assessed in 6 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 70 feet of Lot 7 of Block 2 of Las Palmas Tract as per map filed February 20, 1930 in Volume 11 of Maps, Page 16, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-0717-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 6th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-667

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. (Along W. Briggsmore Ave. and along Sherwood Ave. at 1802 Sherwood Ave., a portion of Block 6808 - Frances Pansini - $605.00)

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 25, 1972, adopt its Resolution No. 72-1027, 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, August 6, 1973, at 4:10 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 $605.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $605.00, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 145.01 feet of the South 235 feet, more or less, of the East 180.30 feet of the West 210.30 feet of Lot 5 of Fresno Tract as per map filed March 14, 1903 in Volume 1 of Maps, Page 76, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 59-1512-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 6th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-668

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. (Along E. Morris Ave. and along John Muir Ct. at 101 John Muir Ct., Lot 1 of Block 606 - Viola M. Patton - $491.60)

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, August 6, 19 73, at 4:10 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 $491.60.

SECTION 2. That the cost of the aforesaid work, being the amount of $491.60, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 606 of John Muir Tract as per map filed April 15, 1938 in Volume 11 of Maps, Page 41, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 111-5701-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 6th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-669

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. (Along E. Morris Ave. and along Hunter Ave. at 502 Hunter Ave., Lot 5 of Block 1002A - Kenneth L. Waddell - $510.00)

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, August 6, 1973, at 4:10 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 $510.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $510.00, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 5 of Block 1002-A of Tschantz-Van Horn Tr. as per map filed April 16, 1954 in Volume 17 of Maps, Page 72, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 034-0213-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 6th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-670

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. (Along W. Roseburg Ave. and along Brady Ave. at 433 W. Roseburg Ave., Lot 28 of Block 6003 - John P. Williams - $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 May 14, 1973, adopt its Resolution No. 73-408, 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, August 6, 1973, at 4:10 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 $610.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $610.00, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 150 feet of the South 180 feet of the West 75 feet of the East 300 feet of the Southwest quarter of the Northeast quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 119-1277-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 6th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-671

A RESOLUTION ADOPTING AN AMENDMENT TO THE MODESTO URBAN AREA GENERAL PLAN SO AS TO ADD THERETO AN ELEMENT ENTITLED "OPEN SPACE AND RECREATION ELEMENT - MODESTO URBAN AREA GENERAL PLAN, AUGUST, 1973", RESCINDING THE PREVIOUSLY ADOPTED "INTERIM OPEN SPACE PLAN" AND ADOPTING FINAL ENVIRONMENTAL IMPACT REPORT.

WHEREAS, a General Plan for the City of Modesto entitled "Modesto Urban General Plan" was recommended by the Planning Commission of the City of Modesto and adopted by the Council of the City of Modesto by Resolution No. 59-33 on January 28, 1959, and

WHEREAS, thereafter it was found and determined that amendments to the adopted General Plan of the City of Modesto and surrounding urban area were in the public interest, and after Planning Commission recommendation said General Plan was amended by Modesto City Council Resolution No. 65-695 adopted on December 27, 1965, and

WHEREAS, Section 65563 of the Government Code of the State of California required every city to adopt an Interim Open Space Plan, and

WHEREAS, after Planning Commission recommendation, the City Council of the City of Modesto adopted on October 2, 1972, by Resolution No. 72-1042, an "Interim Open Space Plan" as an amendment to said General Plan, and

WHEREAS, the Planning Commission has determined and found that an amendment to said General Plan to add an Open Space and Recreation Element to said General Plan to supersede and replace said Interim Open Space Plan is in the public interest, and

WHEREAS, the Planning Commission held a public hearing on a proposed Open Space and Recreation Element on June 19, 1973, and

WHEREAS, the Planning Commission by Resolution No. 73-76 adopted on June 19, 1973, has approved and recommended to the City Council an amendment to said General Plan, which amendment is entitled "Open Space and Recreation Element - Modesto Urban Area General Plan", and

WHEREAS, Section 65563 of the Government Code of the State of California requires that every city prepare, adopt and submit to the Secretary of the Resources

Agency of the State of California a local open space plan, said term being synonymous with an Open Space Element to the General Plan, and

WHEREAS, the City Council, after giving notice thereof as required by law, held a public hearing on said amendment to the General Plan in the Council Chambers of the City of Modesto on July 2, 1973, at 4:05 o'clock p.m. and at said time and place the public hearing was continued to July 16, 1973, at 4:05 o'clock p.m. at the same place and at said time and place said public hearing was further continued to July 23, 1973, at 8:00 o'clock p.m. at the same place and at said time and place said public hearing was further continued to August 6, 1973, at 4:15 o'clock p.m. at the same place, at which times the City Council considered said amendment to the General Plan, and

WHEREAS, an Environmental Impact Report was prepared on said "Open Space and Recreation Element - Modesto Urban Area General Plan" and on the companion open space zoning proposals to said element, and

WHEREAS, the City Council, after giving notice thereof, held a public hearing on the Final Environmental Impact Report on said "Open Space and Recreation Element - Modesto Urban Area General Plan" and on the companion open space zoning proposals to said element in the Council Chambers of the City of Modesto on July 2, 1973, at 4:05 o'clock p.m. and at said time and place the public hearing was continued to July 16, 1973, at 4:05 o'clock p.m. at the same place and at said time and place said public hearing was further continued to July 23, 1973, at 8:00 o'clock p.m. at the same place and at said time and place said public hearing was further continued to August 6, 1973, at 4:15 o'clock p.m. at the same place, at which times the City Council considered said Final Environmental Impact Report.

WHEREAS, on July 16, 1973, the City Council referred said "Open Space and Recreation Element - Modesto Urban Area General Plan", as recommended by the Planning Commission, back to the Planning Commission to consider certain modifications and changes proposed by the City Council in said "Open Space and Recreation Element - Modesto Urban Area General Plan", and

WHEREAS, the Planning Commission considered said modifications and changes at its meeting on July 24, 1973, and by Resolution No. 73-80 found that said modifications and changes were acceptable and recommended that the City Council adopt said "Open Space and Recreation Element - Modesto Urban Area General Plan" as modified and changed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby adopt the "Final Environmental Impact Report, Open Space and Recreation Element, Modesto Urban Area General Plan - Including Open-Space Zoning Proposals (73-77)" dated June, 1973.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it does hereby adopt an amendment to the Modesto Urban Area General Plan by adding to it a document entitled "Open Space and Recreation Element - Modesto Urban Area General Plan, August, 1973", a copy of which is on file in the office of the Director of Planning and in the office of the City Clerk, as approved and recommended by the Planning Commission, and which document is by this reference made a part hereof as though set forth in full.

BE IT FURTHER RESOLVED that said "Open Space and Recreation Element - Modesto Urban Area General Plan, August, 1973" shall supersede and replace the "Interim Open Space Plan" which was adopted as an amendment to the Modesto Urban Area General Plan by Modesto City Council Resolution No. 72-1043 on October 2, 1973, and said "Interim Open Space Plan" is hereby rescinded.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to certify a copy of said "Open Space and Recreation Element - Modesto Urban Area General Plan, August, 1973" and submit it to the Secretary of the Resources Agency of the State of California, and to certify and submit a copy of said "Open Space and Recreation Element - Modesto Urban Area General Plan, August, 1973", to the Board of Supervisors of the County of Stanislaus and to the City Council of the City of Ceres.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-672

RESOLUTION APPROVING LETTER AGREEMENT BETWEEN THE CITY OF MODESTO AND THOMAS FONTANA, JR. FOR HARVEST OF WALNUTS FROM CITY OWNED PROPERTY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Thomas Fontana, Jr. granting permission to Mr. Fontana to harvest walnuts on city-owned property located at Dryden Park Municipal Golf Course, Roosevelt Park, City Pump Station No. 14 on Virginia Avenue, City Pump Station on Emerald Avenue, Mancini Park property at 1204 River Road, and the small parcel purchased by the City From the State on the south side of Tuolumne River near the Ninth Street Bridge approach; and to harvest the almonds and grapes on the Mancini Park property at 1204 River Road, is hereby approved for the 1973 harvesting season, subject to the conditions listed in said agreement.

BE IT FURTHER RESOLVED that the execution of said letter 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 August, 1973 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-673

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND ARNOLD R. JOHNSON AND NORMA E. JOHNSON FOR USE OF THE BEYER PARK SITE FOR AGRICULTURAL PURPOSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Arnold R. Johnson and Norma E. Johnson for use of the Beyer Park site for agricultural purposes (City to receive 15% of the gross receipts from the sale of all crops) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said lease/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 August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-674

A RESOLUTION AUTHORIZING THE INSTALLATION OF STOP SIGNS ON CERTAIN STREETS IN THE CITY OF MODESTO AT CROSSINGS OF THE TRACKS OF THE TIDEWATER SOUTHERN RAILWAY COMPANY.

WHEREAS, Granger Avenue, Bowen Avenue and Roseburg Avenue are city streets which cross at grade the tracks of the Tidewater Southern Railway Company, and

WHEREAS, it is deemed advisable to require all vehicles on said streets to stop before crossing said tracks, and

WHEREAS, Section 21110 of the Vehicle Code of the State of California authorizes the installation of such stop signs by resolution of the City Council subject to approval of the Public Utilities Commission of the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize the installation of stop signs on Granger Avenue, Bowen Avenue and Roseburg Avenue in the City of Modesto which signs shall be so placed as to require all vehicles traveling on and along said streets to stop before crossing the tracks of the Tidewater Southern Railway Company.

BE IT FURTHER RESOLVED that this resolution shall not become effective until approved by an order of the Public Utilities Commission 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 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-675

A RESOLUTION ADOPTING CHAPTER 10, SHCOOL CROSSING PROTECTION, OF THE STATE DIVISION OF HIGHWAYS TRAFFIC MANUAL TO ESTABLISH AND PROMULGATE WARRANTS FOR THE PLACEMENT OF TRAFFIC CONTROL DEVICES NEAR SCHOOLS

WHEREAS, Section 21372 of the California Vehicle Code requires local jurisdictions to establish and promulgate warrants for the placement of traffic control devices near schools; and

WHEREAS, this requirement can be satisfied by the adoption of Chapter 10, School Crossing Protection, of the State Division of Highways Traffic Manual.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts Chapter 10, School Crossing Protection, of the State Division of Highways Traffic Manual, to establish and promulgate warrants for the placement of traffic control devices near schools.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-676

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STAFAC, INC. FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3225 McHENRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and STAFAC, INC.

for sewer service to property outside the City at 3225 McHenry 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 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-677

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND POP SHOPPE FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3320 McHENRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Pop Shoppe

for sewer service to property outside the City at 3320 McHenry 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 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-678

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ELLA JEAN SILVA FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 213 GLACIER AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ella Jean Silva for sewer service to property outside the City at 213 Glacier Ave. 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 August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 679

A RESOLUTION INCREASING THE PETTY CASH REVOLVING FUND OF THE CITY OF MODESTO AND AUTHORIZING THE TRANSFER OF THE ADDITIONAL SUM OF $200.00 FROM THE GENERAL FUND TO THE PETTY CASH FUND.

WHEREAS, the Council, by Resolution No. 9752-N. S., adopted February 27, 1952, established a Petty Cash Revolving Fund, and

WHEREAS, it is desirable and necessary that the Petty Cash Revolving Fund be increased to $700.00 in order to provide sufficient funds to effectively accomplish its purpose,

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

SECTION 1. The Petty Cash Revolving Fund, established by Resolution No. 9752-N. S., is hereby increased to Seven Hundred and no/100ths ($700.00) Dollars.

SECTION 2. The Director of Finance is hereby authorized to transfer Two Hundred and no/100ths ($200.00) Dollars from the General Fund of the City to the Petty Cash Revolving Fund.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilmen Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 680

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 69-871 ENTITLED "A RESOLUTION AMENDING SECTION 1(a) AND SECTION 2 OF RESOLUTION NO. 62-29 ENTITLED 'A RESOLUTION ESTABLISHING ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 59-191, ENTITLED 'A RESOLUTION ESTABLISHING PARKING METER ZONES, ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING ALL PRIOR RESOLUTIONS AND REGULATIONS RELATING THERETO', AND RESCINDING ALL SUBSEQUENT RESOLUTIONS AND REGULATIONS RELATING THERETO", AND RESCINDING RESOLUTION NO. 72-832.

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

SECTION 1. Section 1 of Resolution No. 69-871 entitled "A Resolution Amending Section 1(a) and Section 2 of Resolution No. 62-29 entitled 'A Resolution Establishing One-Way Streets and Alleys and Angle Parking in the City of Modesto and Rescinding Resolution No. 59-191, entitled 'A Resolution Establishing Parking Meter Zones, One-Way Streets and Alleys and Angle Parking in the City of Modesto and Rescinding All Prior Resolutions and Regulations Relating Thereto', and Rescinding All Subsequent Resolutions and Regulations Relating Thereto", is hereby amended to read as follows:

Section 1(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)

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. 72-832 adopted by the council on July 3, 1972 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Simon, who moved its adoption which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 681

RESOLUTION ACCEPTING BILL OF SALE FROM THE CITIZENS' CULTURAL CENTER COMMITTEE, INC., FOR HISTORICAL ITEMS FOR THE McHENRY MUSEUM OF ART AND HISTORY.

WHEREAS, the City of Modesto has established and is operating a historical museum known as the McHenry Museum of Art and History, and

WHEREAS, the Citizens' Cultural Center Committee, Inc., has acquired historical items and display cases which it desires to donate to the City of Modesto for use and display in said museum, and

WHEREAS, the City of Modesto is willing to accept said historical items and display cases from the Citizens' Cultural Center Committee, Inc., and

WHEREAS, the Citizens' Cultural Center Committee, Inc. has executed and delivered to the City of Modesto a Bill of Sale conveying to the City of Modesto all of the Committee's right, title and interest in and to said historical items and display cases,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby accept for the City of Modesto all of those certain items of personal property conveyed by that certain Bill of Sale from the Citizens' Cultural Center Committee, Inc., to the City of Modesto dated August 2, 1973, which Bill of Sale is on file 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 6th day of August, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mensinger, Simon

(SEAL)

ATTEST: W.T. Chynoweth
W.T. CHYNOWETH, City Clerk

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, CITY ATTORNEY

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 682

A RESOLUTION AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION OR HER DESIGNATED REPRESENTATIVE TO ACCEPT HISTORICAL AND OTHER ITEMS DONATED OR LOANED TO THE CITY OF MODESTO AND WHICH ARE SUITABLE FOR USE IN THE McHENRY MUSEUM OF ART AND HISTORY.

WHEREAS, the City of Modesto has established and is operating a historical museum known as the McHenry Museum of Art and History, and

WHEREAS, citizens of Modesto and other interested persons and companies will be donating and loaning to the City of Modesto historical and other items of personal property suitable for use and display in said museum, and

WHEREAS, it is necessary to authorize the acceptance of historical and other items of personal property which are suitable for use in the McHenry Museum of Art and History,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the Director of Parks and Recreation of the City of Modesto, or her authorized representative, to accept on behalf of the City of Modesto historical and other items of personal property donated or loaned to the City of Modesto and which are suitable for use and display in the McHenry Museum of Art and History.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mensinger, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

RESCINDED
1998-314
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-683

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $784 TO PROVIDE FUNDS NEEDED FOR INSURANCE COVERAGE FOR ITEMS STORED OR DISPLAYED AT THE MUSEUM

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$784.00
TO:	Insurance - Personal Property (417-29-101)	$784.00

(To provide insurance coverage for items stored or displayed at the Museum)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mensinger, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-684

A RESOLUTION ACCEPTING IMPROVEMENTS IN SUNSET COUNTRY ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Tully Manor Enterprises, a partnership, developer of Sunset Country Estates Subdivision, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $81,900 and $40,950 respectively to guarantee improvements in Sunset Country Estates Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated July 31, 1973, indicates that all work required by the subdivison 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Sunset Country Estates Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $81,900 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $40,950 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 6th day of August, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-685

AMENDMENT TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND EMPIRE UNION SCHOOL DISTRICT FOR ACQUISITION OF SCHOOL-PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto

amendment to
that the/agreement between the City of Modesto and Empire Union School District for acquisition of school-park site

be, and it is hereby approved.

amendment to
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 August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-686

A RESOLUTION APPROVING PURCHASE AGREEMENT BETWEEN THE CITY OF MODESTO AND EUGENE AND JANICE CRISMON AND ACCEPTING GRANT DEED (Dry Creek Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the purchase agreement between the City of Modesto and Eugene and Janice Crismon for property acquisition for Dry Creek Park is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said purchase agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-687

A RESOLUTION TRANSFERRING FIVE HUNDRED SIXTY-SEVEN THOUSAND AND NO/100THS ($567,000.00) DOLLARS FROM THE GENERAL FUND (FUND NO. 101) OF THE CITY OF MODESTO TO THE SPECIAL FUND FOR CAPITAL OUTLAYS (FUND NO. 321).

WHEREAS, the sum of Five Hundred Sixty-Seven Thousand and no/100ths ($567,000.00) Dollars is available in the Unappropriated Fund Balance of the General Fund (Fund No. 101), and

WHEREAS, said sum will not be required for operating costs of the City during the 1973-74 fiscal year, and

WHEREAS, the Council desires to transfer said sum to the Special Fund for Capital Outlays (Fund No. 321) to be appropriated in the Contingency Reserve-Community Center (Account No. 71),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Five Hundred Sixty-Seven Thousand and no/100ths ($567,000.00) Dollars be and is hereby transferred from the Unappropriated Fund Balance of the General Fund (Fund No. 101) to the Special Fund for Capital Outlays (Fund No. 321) and appropriated in the account Contingency Reserve-Community Center (Account No. 71).

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 6th day of August, 1973, by Councilman Davies, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: Simon

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-688

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19-3-9 FROM R-1 TO R-2, REQUESTED BY KENNETH L. HILL, CAROLE L. HILL, AND KENNETH L. HILL, JR.

WHEREAS, the Modesto City Planning Commission held a public hearing on July 24, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 19-3-9 of the zoning map to rezone from One Family Residential Zone, R-1, to Two Family Residential Zone, R-2 the following described property: located on the south corner of Orangeburg Avenue and Carver Road.

All that portion of the northwest one-quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

All of Lots 10 thru 18 inclusive in Block 6252 of Ben-Don Village Subdivision as shown on the map filed June 28, A.D. 1950 in Volume 17 of Maps, at Page 6, in the records of Stanislaus County.

and Including also the westerly 30 feet of Carver Road and the southerly 49 feet of West Orangeburg Avenue immediately adjacent to the above described property.

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-84 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 19-3-9 of the Zoning Map be set for August 27, 1973 at 7:35 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 19 73, by Councilmen Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-689

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 33-3-9 OF THE ZONING MAP FROM C-2 TO M-1 (Benson and Zimmerman)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 24, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 33-3-9 of the zoning map from General Commercial Zone, C-2, to Light Industrial Zone, M-1 the following described property:

All of the northwest one-quarter of Section 33 Township 3 South, Range 9 East, of the Mount Diablo Base and Meridian, being described as follows: ALL lots 22 through 28 inclusive in Block 98 in the City of Modesto.

Including also the southwesterly 10 feet of the 20 foot alley in said Block 98 and the northeasterly 40 feet of 12th Street adjacent to the above described property

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-83 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 33-3-9 of the Zoning Map be set for August 27, 1973 at 7:40 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilmen Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-690

A RESOLUTION OF THE MODESTO CITY COUNCIL OFFERING NO OBJECTION TO PROPOSED OPEN SPACE CONTRACT APPLICATION NO. 74-1564 (Joe Hart, et ux)

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 Open Space Contract Application not be opposed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does not oppose Open Space Contract Application No. 74-1564, (Joe Hart, et ux).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form (1/24/72)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-691

A RESOLUTION OF THE MODESTO CITY COUNCIL OFFERING NO OBJECTION TO PROPOSED OPEN SPACE CONTRACT APPLICATION NO. 74-1565 (James Morris, et ux)

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 Open Space Contract Application not be opposed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does not oppose Open Space Contract Application No. 74-1565, (James Morris, et ux).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form (1/24/72)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-692

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SeCTION 27-3-9 TO PREZONE PROPERTY TO PLANNED DEVELOPMENT ZONE, P-D (James Price)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 24, 1973 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 27-3-9 of the zoning map to prezone to Planned Development P-D
the following described property:

See Exhibit "A" attached

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-85 recommending to the Council thatprezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 27-3-9 of the Zoning Map be set for August 27, 1973 at 7:45 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposedprezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August , 1973 , by Councilmen Simon , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

All that portion of the northeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the interior quarter corner of said Section 27; thence South 89° 41' East along the east-west quarter section line a distance of 29.04 feet; thence North 0° 33' 03" West along a line parallel to and 29.04 feet distant easterly at right angles from the north-south quarter line of said Section 27, a distance of 801.62 feet to the centerline of Edgebrook Drive, a proposed 60.00 foot wide public street and the true point of beginning; thence along said centerline of Edgebrook Drive the following 7 courses:

1) North 89°26'57" East, 336.25 feet; 2) thence in a northeasterly direction along a curve concave to the northwest through a central angle of 56°17'39" having a radius of 250.00 feet and a curve length of 245.63 feet; 3) North 33°09'18" East, 318.10 feet; 4) thence in a northeasterly direction along a curve concave to the southeast through a central angle of 33°32'42" having a radius of 250.00 feet and a curve length of 146.37 feet; 5)North 66°42' East, 384.65 feet; 6) thence in a northeasterly direction along a curve concave to the southeast through a central angle of 23°30' having a radius of 250.00 feet and a curve length of 102.54 feet; 7) South 89°48' East, 0.42 feet to the intersection with the west line of Dry Creek Estates, as shown on the official map filed in Volume 21 of Maps at Page 55, Stanislaus County Records; thence North 0°36' West, along said west line of Dry Creek Estates, a distance of 327.81 feet; thence South 68°56'57" West a distance of 291.25 feet; thence South 54°56'57" West, a distance of 472.00 feet; thence South 67°56'57" West a distance of 360.00 feet; thence South 77°56'57" West, a distance of 160.00 feet; thence North 81°33'03" West, a distance of 135.00 feet to the intersection with a line parallel to and 29.04 feet distant easterly at right angles from said north-south quarter line of Section 27; thence South 0°33'03" East along said parallel line a distance of 451.68 feet to the point of beginning.

Containing: 11.129 acres

EXHIBIT "A"

27-3-9 Price

MODESTO CITY COUNCIL
RESOLUTION NO. 73-693

A RESOLUTION ANNEXING UNINHABITED TERRITORY KNOWN AS THE ORANGEBURG-EASTRIDGE ADDITION TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on July 20, 1973, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Orangeburg-Eastridge Addition,

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

That the annexation of said uninhabited territory designated as Orangeburg-Eastridge Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved, is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R C Mayer
Public Works Department

RAM 8-3-73

June 18, 1973

Revised July 24, 1973
as per Local Agency
Formation Committee

ORANGEBURG-EASTRIDGE ADDITION

All that real property in the State of California, County of Stanislaus, in the Northeast quarter of Section 23, 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 Northern line of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972, as Instrument 23377, Stanislaus County Records, said point being the Southeastern corner of the Western half of Lot 7 of the O. McHENRY RANCH Subdivision, as per map filed February 14, 1905, in Volume 2 of Maps, Page 7, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue; thence along the existing City Limits on said Northern line of Addition (292) and said center line of East Orangeburg Avenue, North 89°27'15" West, 1214.04 feet; thence North 00°15'15" West, 455.60 feet; thence North 89°27'15" West, 100.00 feet, to a point on the Western line of the Eastern half of Lot 6 of said O. McHENRY RANCH Subdivision; thence along said Western line of the Eastern half of Lot 6, North 00°15'15" West, 778.99 feet, to a point on the center line of a public road known as East Briggsmore Avenue; thence along said center line of East Briggsmore Avenue, South 82°15'45" East, 222.06 feet; thence continuing along the center line of East Briggsmore Avenue on a tangent curve concave to the North, having a Radius of 1200.00 feet, a Central Angle of 7°25'35" and an Arc Length of 155.54 feet; thence continuing along the center line of East Briggsmore Avenue on a tangent line, South 89°41'20" East, 939.29 feet, to a point on the Eastern line of said Western half of Lot 7 of the O. McHENRY RANCH Subdivision; thence along said Eastern line of the Western half of Lot 7, South 00°14'35" East, 1201.20 feet, to the point of beginning, containing 35.244 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-694

A RESOLUTION ACCEPTING THE BID OF PARRISH, INC. FOR INSTALLATION OF WATERLINES IN KEWIN PARK AND THOUSAND OAKS PARK

WHEREAS, Resolution No. 73-546 , adopted by the Council of the City of Modesto on June 25, 1973 , approved the plans and specifications for the Installation of waterlines in Kewin Park and Thousand Oaks Park
and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Kewin Park and Thousand Oaks Park
were opened at 10:00 A.M. on July 10, 1973 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 Parrish, Inc. in the amount of $14,660.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Parrish, Inc. in the amount of $14,660.00

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 13th day of August, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-695

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATERLINES IN COLEMAN ACRES #3, COFFEE VILLA, LINCOLN SQUARE AND FLINTRIDGE ESTATES #1

WHEREAS, Resolution No. 73-633 , adopted by the Council of the City of Modesto on July 23, 1973 , approved the plans and specifications for the installation of waterlines in Coleman Acres #3, Coffee Villa, Lincoln Square and Flintridge Estates #1 and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Coleman Acres #3, Coffee Villa, Lincoln Square and Flintridge Estates #1 were opened at 10:00 A.M. on August 7, 1973 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 Valley Construction in the amount of $19,528.50

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Valley Construction in the amount of $19,528.50

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 13th day of August, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-696

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN GRANADA PARK NO. 4

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

SECTION 1. The plans and specifications for installation of waterlines in Granada Park 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 August 28, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-697

A RESOLUTION ACCEPTING THE BID OF GRAYBILL COMPANY TO FURNISH POWER RESCUE TOOL

WHEREAS, Resolution No. 73-636 , adopted by the Council of the City of Modesto on July 23, 1973 , approved the plans and specifications for the furnishing of a Power Rescue Tool

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of a Power Rescue Tool

were opened at 2:00 P.M. on August 7, 1973 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 Graybill Company in the amount of $4,293.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Graybill Company in the amount of $4,293.00

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 13th day of August, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-698

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, FOR INSTALLATION OF A PEDESTRIAN PUSH BUTTON AT 17TH-DOWNEY-McHENRY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and State of California, Department of Transportation, Division of Highways for installation of a Pedestrian Push Button at 17th-Downey-McHenry

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 August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-699

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,400 TO PROVIDE FUNDS FOR JOINT CITY-STATE PROJECT TO INSTALL PEDESTRIAN PUSH BUTTON AT 17TH-DOWNEY-McHENRY

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

GENERAL RESERVE FUND (101)

FROM:	General Reserve (60-101)	$1,400
TO:	Pedestrian Push Button Installation - 17th-Downey-McHenry (5305-56-101)	$1,400

(To provide funds for the joint City-State project to install pedestrian push button at 17th-Downey-McHenry)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-700

A RESOLUTION APPROVING COOPERATIVE AGREEMENT BETWEEN THE CITY OF MODESTO AND GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR FOR CONTINUATION OF GROUND WATER STUDY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the cooperative agreement between the City of Modesto and Geological Survey, United States Department of the Interior for continuation of ground water study (City's share $13,000) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said cooperative 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 August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-701

A RESOLUTION ACCEPTING IMPROVEMENTS IN McHENRY ESTATES NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF CERTIFICATE OF DEPOSIT

WHEREAS, State Savings and Loan Association, a corporation, has filed a Certificate of Deposit for faithful performance and labor and materials in the amount of $225,000 to guarantee improvements in McHenry Estates No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated July 31, 1973 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 a notice of completion and release the Certificate of Deposit upon expiration of the statutory periods.

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

1. The improvements of McHenry Estates No. 2 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the Certificate of Deposit in the amount of $225,000 upon expiration of the statutory periods.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-702

A RESOLUTION APPROVING THE FINAL MAP OF THE OLD ORCHARD NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Norman J. Winsor and Lola Jean Winsor, husband and wife, and J. C. Bearden and Dorothy Bearden, husband and wife,

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 9.272 acres, known as the Old Orchard No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 16th day of May, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Old Orchard 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 of the Old Orchard No. 2 Subdivision 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 in the amount of Two Thousand, One Hundred Forty-One and 50/100ths ($2,141.50) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 13th day of August, 19 ~~72~~ 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-703

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (Coffee-Floyd No. 2 Addition)

WHEREAS, there has been annexed to the City of Modesto on July 23, 19 73, certain territory known as Coffee-Floyd No. 2 Addition, and

WHEREAS, the inclusion of the area contained in Coffee-Floyd No. 2 Addition 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 Coffee-Floyd No. 2 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 110.

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

SECTION 5. Monday, October 1, 19 73, 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 judgment 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. 110 .

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) 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) On the South side of Floyd Ave. at the West boundary of the annexation.

(2) On the South side of Floyd Ave. at the West side of Coffee Rd.

(3) On the West side of Coffee Rd at the South Boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 110, 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 13th day of August, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Lon Lamphere
Public Works Department

R Hill 8-10-73

November 21, 1972

Corrected April 17, 1973

COFFEE-FLOYD NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in Section 16, 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 COFFEE-FLOYD ADDITION (272), as per description filed June 22, 1971, as Instrument 23064, Stanislaus County Records, said point also being the intersection of the Section line common to Section 16 and Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and the quarter-quarter section line of the Northeast quarter of Section 16; thence along said quarter-quarter section line, North 89°29'40" West, 431.00 feet, to a Northeastern corner of the SHERWOOD TERRACE ADDITION (183), as per description filed November 9, 1965, as Instrument 43731, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (183), the following courses, South 0°54'15" East, 122.44 feet; North 89°30'40" West, 100.00 feet; South 0°54'15" East, 70.00 feet, to the Northwestern corner of the EAST FLOYD NO. 3 ADDITION (122), as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Recrods; thence along the existing City Limits and the boundary of said ADDITION (122) the following courses, South 89°27'57" East, 346.00 feet; South 0°53' East, 214.00 feet, to a Northwestern corner of the SHERWOOD MEADOWS ADDITION (175), as per description filed March 26, 1965, as Instrument 11993, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (175), the following courses, South 89°30' East, 185.01 feet; North 0°53' West, 406.64 feet, to the point of beginning, containing 2.973 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 August 13, 1973, 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 Councilman Dunlap, seconded by Councilman Newton, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: 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: August 14, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-704

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 Coffee- Floyd No. 2 Addition by Ordinance No. 1277 adopted on July 23, 19 73, and said addition officially became a part of the City of Modesto on August 2, 19 73, 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, THEREFORE, 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, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 13th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

RAM 8-10-73

By Ross Campbell
Public Works Department

Corrected April 17, 1973

COFFEE-FLOYD NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in Section 16, 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 COFFEE-FLOYD ADDITION (272), as per description filed June 22, 1971, as Instrument 23064, Stanislaus County Records, said point also being the intersection of the Section line common to Section 16 and Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and the quarter-quarter section line of the Northeast quarter of Section 16; thence along said quarter-quarter section line, North 89°29'40" West, 431.00 feet, to a Northeastern corner of the SHERWOOD TERRACE ADDITION (183), as per description filed November 9, 1965, as Instrument 43731, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (183), the following courses, South 0°54'15" East, 122.44 feet; North 89°30'40" West, 100.00 feet; South 0°54'15" East, 70.00 feet, to the Northwestern corner of the EAST FLOYD NO. 3 ADDITION (122), as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Recrods; thence along the existing City Limits and the boundary of said ADDITION (122) the following courses, South 89°27'57" East, 346.00 feet; South 0°53' East, 214.00 feet, to a Northwestern corner of the SHERWOOD MEADOWS ADDITION (175), as per description filed March 26, 1965, as Instrument 11993, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (175), the following courses, South 89°30' East, 185.01 feet; North 0°53' West, 406.64 feet, to the point of beginning, containing 2.973 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-705

LEASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MUIR TRAIL GIRL SCOUT COUNCIL FOR OFFICE SPACE IN MODESTO COMMUNITY SERVICE CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto
lease
that the/agreement between the City of Modesto and Muir Trail Girl Scout Council for office space in Modesto Community Service Center

be, and it is hereby approved.

lease
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 August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mensinger

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-706

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SYNERCOMP, INC. FOR PREPARATION OF A CONCEPTUAL DESIGN, UTILITY BILLING, PAYROLL, ACCOUNTS PAYABLE AND INVENTORIES SYSTEMS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Synercomp, Inc.

for the preparation of a Conceptual Design, utility billing, payroll, accounts payable and inventories systems to be completed by 10/1/73 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 August, 19 73 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-707
AMENDMENT TO

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND BURROUGHS CORPORATION TO SUBSTITUTE THE NEW PROGRAMMING COMPANY, SYNERCOMP, INC., IN PLACE OF ASSOCIATED DATA SYSTEMS, INC.

BE IT HEREBY RESOLVED by the Council of the City of Modesto amendment to
that the/agreement between the City of Modesto and Burroughs Corporation for substitution of new programming company, Synercomp, Inc., in place of Associated Data Systems, Inc., and extend the acceptance of Burroughs equipment to October 1, 1973 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 13th day of August, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-708

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ERNEST W. HAHN, INC. RE $1,000,000 DONATION FOR HIGHWAY 99 CONSTRUCTION AND RESCINDING AGREEMENT APPROVED BY RESOLUTION NO. 73-383 ON MAY 7, 1973

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ernest W. Hahn, Inc.

~~for~~ re $1,000,000 donation for Highway 99 construction (Hahn Co. to give City $1,000,000 - City holds money and gives it to the State if the State agrees to build the freeway. If State doesn't agree to build the freeway, the money is returned to Hahn with interest it earned) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized, and the agreement approved by Res. 73-383 on May 7, 1973 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Newton, Simon, Mayor Davies
NOES:	Councilmen:	Mensinger
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-709

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, REGARDING ADVANCED CONSTRUCTION OF ROUTE 99 FROM ROUTE 132 TO 0.3 MILES SOUTH OF PELANDALE, INCLUDING BECKWITH AND CARPENTER-BRIGGSMORE INTERCHANGES, AND RESCINDING AGREEMENT APPROVED BY RESOLUTION NO. 73-384 ON MAY 7, 1973

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and State of California, Department of Public Works, Division of Highways, regarding the City of Modesto donating $1,000,000 for the advanced construction in 1974-75 fiscal year, Route 99 from Route 132 to 0.3 mile south of Pelandale, including Beckwith and Carpenter-Briggsmore Interchanges, be and it is hereby approved.

BE IT FURTHER RESOLVED that execution of said agreement by the designated city officials be authorized, and the agreement approved by Resolution No. 73-384 on May 7, 1973 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Newton, Simon, Mayor Davies

NOES: Councilmen: Mensinger

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-710

A RESOLUTION APPROVING THE PLANNED USE REPORT FOR THE ENTITLEMENT PERIOD ENDING JUNE 30, 1974, FOR REVENUE SHARING FUNDS UNDER THE STATE AND LOCAL FISCAL ASSISTANCE ACT OF 1972.

WHEREAS, the State and Local Fiscal Assistance Act of 1972, requires each government recipient of revenue sharing funds to submit to the Department of the Treasury, Office of Revenue Sharing, a Planned Use Report for each entitlement period, and

WHEREAS, the State and Local Federal Assistance Act of 1972 requires each government to publish each Planned Use Report in a local newspaper of general circulation in addition to submitting said report to the Department of the Treasury, Office of Revenue Sharing,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the attached Planned Use Report for the entitlement period ending June 30, 1974, is hereby approved.

BE IT FURTHER RESOLVED that the planned expenditures for the projects listed in said report shall be as follows and in the amounts specified:

Project No. 121	Aerial Ladder Truck	$ 45,000
Project No. 715	Briggsmore, Prescott to McHenry, Street Improvement	280,286
Project No. 519	Service Yard Building No. 5	96,000
Project No. 315	Davis Park Development/Stages 7, 8, 9	150,000
Project No. 311	Rose Avenue Park Development/Stages 1 and 2	130,000
Project No. 828	Strengthen Water System	71,000
Project No. 312	Chrysler Park Development/Stage 1	85,000
	Total	$857,286

BE IT FURTHER RESOLVED that the Council hereby directs that this resolution, including the attached Planned Use Report for the entitlement period ending June 30, 1974, be published in the Modesto Bee, the official newspaper of the City of Modesto.

BE IT FURTHER RESOLVED that the Council hereby directs that the Planned Use Report for the entitlement period ending June 30, 1974, a copy of which is attached hereto, be submitted to the Department of the Treasury, Office of Revenue Sharing, by September 14, 1973.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN I. JOHNSON, City Attorney

OMB FORM 12-71

OFFICE OF REVENUE SHARING
1900 PENNSYLVANIA AVE. N.W.
WASHINGTON, D.C. 20226

PLANS TO EXPEND ITS REVENUE SHARING ALLOCATION FOR THE ENTITLEMENT PERIOD BEGINNING JUL 1, 1973 AND ENDING JUN 30, 1974 IN THE FOLLOWING MANNER BASED UPON AN ESTIMATED TOTAL OF $857,286

ACCOUNT NO.
05 2 050 002

MODESTO CITY
DIRECTOR OF FINANCE
801 11TH STREET
MODESTO CALIFORNIA 95354

(K) [X] EXECUTIVE PROPOSAL. Check this block if this plan is based on an executive proposal

(L) DEBT How will the availability of revenue sharing funds affect the borrowing requirements of your jurisdiction?

- [ ] AVOID DEBT INCREASE
- [X] LESSEN DEBT INCREASE
- [ ] NO EFFECT
- [ ] TOO SOON TO PREDICT EFFECT

(M) TAXES In which of the following manners is it expected that the availability of Revenue Sharing Funds will affect the tax levels of your jurisdiction? Check as many as apply.

- [ ] WILL ENABLE REDUCING RATE OF A MAJOR TAX.
- [ ] WILL REDUCE AMOUNT OF RATE INCREASE OF A MAJOR TAX.
- [X] WILL PREVENT INCREASE IN RATE OF A MAJOR TAX
- [ ] NO EFFECT ON TAX LEVELS
- [ ] WILL PREVENT ENACTING A NEW MAJOR TAX
- [ ] TOO SOON TO PREDICT EFFECT

RETURN THIS REPORT TO DEPT. OF TREASURY

OPERATING/MAINTENANCE EXPENDITURES

PRIORITY EXPENDITURE CATEGORIES (A)	PLANNED EXPENDITURES (B)	PERCENT PLANNED FOR MAINTENANCE OF EXISTING SERVICES (C)	PERCENT PLANNED FOR NEW OR EXPANDED SERVICES (D)
1 PUBLIC SAFETY	$	%	%
2 ENVIRONMENTAL PROTECTION	$	%	%
3 PUBLIC TRANSPORTATION	$	%	%
4 HEALTH	$	%	%
5 RECREATION	$	%	%
6 LIBRARIES	$	%	%
7 SOCIAL SERVICES FOR AGED & POOR	$	%	%
8 FINANCIAL ADMINISTRATION	$	%	%
9 TOTAL PLANNED OPERATING/MAINTENANCE EXPENDITURES	$		

CAPITAL EXPENDITURES

PURPOSE (E)	PLANNED EXPENDITURES (F)	PERCENT PLANNED FOR: EQUIPMENT (G)	CONSTRUCTION (H)	LAND ACQUISITION (I)	DEBT RETIREMENT (J)
10 MULTI-PURPOSE AND GENERAL GOVT.	$	%	%	%	%
11 EDUCATION	$	%	%	%	%
12 HEALTH	$	%	%	%	%
13 TRANSPORTATION	$	%	%	%	%
14. SOCIAL DEVELOPMENT	$	%	%	%	%
15 HOUSING & COMMUNITY DEVELOPMENT	$	%	%	%	%
16 ECONOMIC DEVELOPMENT	$	%	%	%	%
17 ENVIRONMENTAL CONSERVATION	$	%	%	%	%
18 PUBLIC SAFETY	$ 45,000	100 %	%	%	%
19 RECREATION + CULTURE	$	%	%	%	%
20 OTHER (Specify) Park Development	$ 365,000	%	100 %	%	%
21 OTHER (Specify) Public Works Building	96,000	%	100 %	%	%
22 OTHER (Specify) Water Streets	$ 71,000 280,286	%	100 % 100	%	%
23 TOTAL PLANNED CAPITAL EXPENDITURES	$ 857,286				

(N) ASSURANCES (Refer to Instruction G)

The news media have been advised that a complete copy of this report has been published in a local newspaper of general circulation. I have records documenting the contents of this report and they are open for public and news media scrutiny.

I assure the Secretary of the Treasury that the statutory provisions listed in Part G of the Instructions accompanying this report will be complied with by this recipient government with respect to the entitlement funds reported hereon.

John C. Keefe — August 13, 1973
SIGNATURE OF CHIEF EXECUTIVE OFFICER — DATE

Modesto Bee
NAME OF NEWSPAPER

John C. Keefe, City Manager
NAME & TITLE — PLEASE PRINT

August 17, 1973
DATE PUBLISHED

ORS FORM NO. 3229
JULY 1973

THIS REPORT TO BE RETURNED TO THE DEPT. OF THE TREASURY

MODESTO CITY COUNCIL
RESOLUTION NO. 73-711

A RESOLUTION REAPPOINTING FRANK CANTELE AND C.A. TALLENT AND APPOINTING WILLIAM HUGHES, MERLE MENSINGER, JR. AND FRANCIS RUGGIERI AS MEMBERS OF THE DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD FOR TERMS ENDING MARCH 28, 1977

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 reappointed to the Downtown Improvement District Advisory Board for terms ending March 28, 1977:

Frank Cantele
1120 Orchid Avenue
Modesto, California 95350

C. A. Tallent
2029 La Villa Rose Ct.
Modesto, California 95350

SECTION 2. The following persons are hereby appointed to the Downtown Improvement District Advisory Board for terms ending March 28, 1977:

William Hughes
Bill Hughes Dodge
722 Eye Street

Merle Mensinger, Jr.
2158 Park Ridge Dr.
Modesto, California

Francis Ruggieri
P. O. Box 1292
Modesto, California

SECTION 3. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members 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 13th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-712

A RESOLUTION DENYING REQUEST OF ELLA MAE COLEMAN, THROUGH HER ATTORNEY EDWARD T. TALOR, III, TO FILE A LATE CLAIM UNDER SECTION 911.4 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA

WHEREAS, Ella Mae Coleman, through her attorney Edward T. Taylor, III, has made application to file a late claim against the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED that the application of Ella Mae Coleman, through her attorney Edward T. Taylor, III, to present a late claim under Section 911.4 of the Government Code of the State of California be and hereby is denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-713

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN SPRINGCREEK NO. 1

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

SECTION 1. The plans and specifications for installation of Waterlines in Springcreek No. 1 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 4, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-714

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STAGE AT THE SENIOR CITIZENS CENTER (Matteson Construction Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Stage at the Senior Citizens Center has been completed by Matteson Construction Co.

in accordance with the contract agreement dated June 4, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of Stage at the Senior Citizens Center be accepted from said contractor, Matteson Construction Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $7,997.00 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 20th day of August, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-715

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE IMPROVEMENT OF "G" STREET FROM FIRST STREET TO SIXTEENTH STREET

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

SECTION 1. The plans and specifications for the Improvement of "G" Street from First Street to Sixteenth Street

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 18, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-716

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR THE IMPROVEMENT OF PARADISE AVENUE AND "H" STREET FROM FRANKLIN STREET TO FIRST ST.

WHEREAS, Resolution No. 73-506 , adopted by the Council of the City of Modesto on June 18, 1973 , approved the plans and specifications for the Improvement of Paradise Avenue and "H" Street from Franklin Street to First Street
and authorized the calling for bids, and

WHEREAS, the bids received for the Improvement of Paradise Avenue and "H" Street from Franklin Street to First Street
were opened at 10:00 A.M. on July 10, 1973 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 The Flintkote Company in the amount of $159,945.90

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 Company in the amount of $159,945.90

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 20th day of August, 1973, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-717

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. (A PORTION OF BECKWITH NO. 1 ADDITION)

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 July 2, 1973, duly adopted Resolution No. 73-601 (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. 107 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, August 20, 1973, at the hour of 4:30 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:

Southern Pacific Transportation Company
P. O. Box 36, Station "A"
Bakersfield, California 93305

The land, the inclusion of which in the district was objected to, is the Southern Pacific Transportation Company's operating property used for transportation purposes.

The Southern Pacific Transportation Company stated the reason for its objection was that it would have no reason for use of sanitation facilities on said property.

WHEREAS, the City Council finds and determines that that portion of the Southern Pacific Transportation Company's property lying northeast of the southerly extension of the centerline of Dale Road should be excluded from the territory proposed to be annexed to the Modesto Municipal Sewer District No. 1 because said portion of the Southern Pacific Transportation Company's property will not be benefited by said district.

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. 107 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled, except as to that portion of the Southern Pacific Transportation Company's land lying northeast of the southerly extension of the centerline of Dale Road, which land is hereby excluded from the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 as Modesto Municipal Sewer District No. 1 Annexation No. 107.

SECTION 2. The Council hereby determines that no territory or land is included within the revised 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. 107 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The revised boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 107, 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. 107, 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 20th day of August, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Newton, Simon, Mayor Davies

NOES: Councilmen: Mensinger

ABSENT: Councilmen: None

ATTEST: W. T. Chynowth
W. T. CHYNOWTH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

A PORTION OF
BECKWITH NO. 1 ADDITION

Revised August 23, 1973

All that real property in the State of California, County of Stanislaus, in Sections 2, 3, 11, 12, 13, and 14, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a point on the Northern boundary of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records, said point being South 89°34'17" West, 674.00 feet from the point of intersection with the Western line of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (255), the following courses; South 89°34'17" West, 285.82 feet; thence South 47°33'17" West, 798.57 feet; thence South 25°53'47" West, 170.00 feet; thence South 47°09'32" West, 653.84 feet; thence South 47° 09'32" West, 110.00 feet, to a point on the Southwestern line of State Highway 99; thence South 43°07'01" East, 1171.56 feet; thence South 43"08'31" East, 1975.91 feet; thence leaving the existing City Limits, South 00°22'01" East, 147.25 feet, to a point on the Southwestern line of the Southern Pacific Railroad right of way; thence along the Southwestern line of said right of way, North 43°08'31" West, 2084.02 feet; thence continuing along said Southwestern line, North 43°07'01" West, 1,784.74 feet, to its intersection with the section line common to Sections 13 and 14; thence along said section line, North 00°00'03" West, 146.31 feet, to a point on the Southwestern line of State Highway 99; thence along said Southwestern line, North 43°07'01" 7731.14 feet, to its intersection with the section line common to Sections 10 and 11; thence along said last mentioned section line, North 00°15'30" East, 657.36 feet, to the section corner common to Sections 2, 3, 10 and 11; thence North 31°07'59" West, 1555.37 feet, to the intersection of the centerline of a 40 foot public road known as Pelandale Avenue; thence along the centerline of Pelandale Avenue, South 89°57'57" East, 810.13 feet, to the intersection of the section line common to Section 2 and Section 3; thence continuing along the centerline of Pelandale Avenue, North 89°57'00" East, 1653.57 feet to a point on the Northerly extension of the Eastern line of the parcel belonging to Laurence B. Martin, as per survey filed September 18, 1971, in Volume 12 of Record of Surveys, at Page 78, Stanislaus County Records; thence along the Northerly extension and the Eastern property line of said Martin property, South 00°15'30" West, 1328.84 feet,to a point on the section line common to Section 2 and Section 11; thence along said section line, North 89°52'45" East, 987.62 feet to the quarter section corner; thence along the North-South quarter section line of Section 11, South 00°00'03" East, 662.16 feet, to a point on the Southern line of the parcel conveyed to Frank and Johanna Marie Peter, as per deed filed March 6, 1969, in Volume 2263 at Page 671, as Instrument 7706, Stanislaus County Records; thence along the Southern line of said parcel, North 89°52'45" East, 2640.62 feet, to the centerline of a 50 foot public road known as Dale Road, said centerline also being the section line common to Section 11 and Section 12; thence along said centerline, South 00°00'03" East, 993.25 feet, to a point on the Westerly extension of the Northern line of the parcel belonging to D. G. Beachler etux, as per Survey filed August 24, 1962, in Volume 9 of Record of Surveys, at Page 32, Stanislaus County Records; thence along said extension and the Northern line of said parcel, South 89°36'27" East, 894.27 feet; thence along the Eastern line of said parcel, South 00°00'03" East, 993.01 feet, to the centerline of a 40 foot public road known as Standiford Avenue, also being the East-West quarter section line of Section 12; thence along said centerline of Standiford Avenue, South 89°35'37" West, 894.27 feet, to the centerline of Dale Road; thence along the centerline of Dale Road, South 00°00'03" East, 2628.14 feet, to the intersection of the centerline of a 40 foot public road known as Rumble Road; thence along the centerline of Rumble Road, North 89°34'17" East, 2001.38 feet; thence, South 00°04'43" West, 350.00 feet, to the point of beginning, containing 516.349 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 August 20, 1973, 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 Councilman Elliott, seconded by Councilman Newton, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Newton, Simon, Mayor Davies

NOES: Councilmen: Mensinger

ABSENT: Councilmen: 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: August 27, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-718

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. (BECKWITH NO. 2 ADDITION)

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 July 2, 1973, duly adopted Resolution No. 73-602 (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. 108 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, August 20, 1973, at the hour of 4:30 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. 108 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. 108 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. 108, 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. 108, 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 20th day of August, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Newton, Simon, Mayor Davies

NOES: Councilmen: Mensinger

ABSENT: Councilmen: None

ATTEST: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

JCC
7-5-73

All that real property in the State of California, County of Stanislaus, being a portion of Sections 12 and 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records, said point also being the intersection of the center line of a 40 foot public road known as Conant Avenue and the center line of a 40 foot public road known as West Rumble Road; thence along the existing City Limits and the boundary of said ADDITION (231), South 0° 04'43" East, 350.00 feet, to the Northeastern corner of the HIGHWAY VILLAGE ADDITION (255), as per description filed June 15, 1970, as Instrument 19308, Stanislaus County Records; thence continuing along the existing City Limits and the boundary of said ADDITION (255), South 89°34'17" West, 674.00 feet; thence leaving the existing City Limits, North 0°04'43" West, 350.00 feet, to the center line of West Rumble Road; thence along said center line, South 89°34'17" West, 2001.38 feet, to the intersecti of the center line of a public road known as Dale Road; thence along the cent line of Dale Road, said center line also being the section line common to Sections 11 and 12, North 0°00'03" West, 2628.14 feet, to the intersection of the center line of a 40 foot public road known as Standiford Avenue; thence along the center line of Standiford Avenue, North 89°35'37" East, 1326.88 fee to the Northwestern corner of the CONANT NO. 1 ADDITION (294), as per description filed July 27, 1972, as Instrument 3721, Stanislaus County Records; then along the existing City Limits and the boundary of said ADDITION (294), the following courses, South 00°01'08" East, 1375.08 feet; North 86° 07'07" East, 1350.31 feet; South 0°02'09" East, 1333.86 feet, to the point of beginning, containing 125.489 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 August 20, 1973, 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 Councilman Simon, seconded by Councilman Elliott, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Newton, Simon, Mayor Davies

NOES: Councilmen: Mensinger

ABSENT: Councilmen: 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: August 21, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-719

A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS STANDIFORD-TULLY NO. 1 ADDITION AND DECLARING THE INTENTION OF THE COUNCIL TO PROCEED WITH THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 73-568, adopted on June 25, 1973, the Council fixed the 13th day of August, 1973, at the hour of 7:30 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 considering the proceedings initiated by the Council of the City of Modesto, on its own motion, to annex the hereinafter described territory to said City, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 73-568 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and in the Ceres Courier, a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus, said publications being completed at least twenty (20) days prior to the date set for the hearing, as required by Section 35311 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and no person owning real property within such territory appeared at said time and place to protest said annexation, but two (2) written protests were filed prior to final adjournment of the hearing on protests to the proposed annexation, which said written protests represented less than ten (10%) per cent of the value of the territory proposed to be annexed as shown by the last equalized assessment roll,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that a majority protest against the proposed annexation of said STANDIFORD-TULLY NO. 1 Addition has not been made and hereby declares its intention to

proceed with the annexation of said territory, on its own motion, which territory is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Newton, Simon, Mayor Davies

NOES: Councilmen: Mensinger

ABSENT: Councilmen: None

ATTEST: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By: Public Works Department

7-3-73

May 14, 1973

STANDIFORD-TULLY NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 5, the East half of Section 7, and the Northwest quarter of Section 8, 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 point on the Northern line of the FRANCEK ADDITION (150), as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, said point being the intersection of the Southern line of a 40.00 foot public road known as Standiford Avenue and the section line common to Sections 7 and 8, said section line being also the center line of a public road known as Tully Road; thence along the existing City Limits and the boundary of said ADDITION (150), North 89°28' West, 1106.01 feet; thence leaving the existing City Limits, North 1°12'20" West, 483.57 feet; thence North 88°45'45" East, 596.78 feet; thence North 0°24'59" West, 895.60 feet, to a point on the Northern boundary of the Hetch Hetchy right of way; thence along the Northern boundary of said right of way, North 69°19'52" East, 525.60 feet to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, North 1°14'15" West, 939.78 feet, to a point on the Southern line of the M.I.D. Lateral No. 6; thence along the Southern line of the M.I.D. Lateral No. 6 the following courses: South 88°50'35" East, 395.43 feet; thence along a tangent curve, concave to the North, having a Radius of 367.90 feet, a Central Angle of 15°00'35", and an Arc Length of 96.38 feet; thence North 76°08'50" East, 550.40 feet; thence along a tangent curve, concave to the Northwest, having a Radius of 367.90 feet, a Central Angle of 17°51'08", and an Arc Length of 114.63 feet; thence leaving the M.I.D. Lateral No. 6, South 39°28'40" East, 47.44 feet; thence South 63°01'40" East, 50.00 feet, to a point on the Section line common to Section 5 and Section 8; thence along said section line, South 89°39'40" East, 1398.04 feet, to a point on the Western line of the Tidewater Southern Railroad right of way; thence along said Western line of said right of way, South 1°14'20" East, 850.56 feet, to the Southeastern corner of property conveyed to Walter P. Wesson, by deed recorded March 29, 1929, as Instrument 4246, Stanislaus County Records; thence along a Southern line of said Wesson property, North 89°39'40" West, 325.00 feet, to a Southwestern corner of the Wesson property; thence along a Western line of the Wesson property, North 1°14'20" West, 150.00 feet, to a point on a Southern line of the Wesson property; thence along said last mentioned Southern line, North 89°39'40" West, 1012.16 feet, to a point on said Southern line of the Hetch Hetchy right of way; thence along the Southern line of the Hetch Hetchy right of way, South 69°19'53" West, 1345.03 feet, to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, South 1°14'15" East, 1451.46 feet, to a point on the center line of Standiford Avenue, said point being also a quarter section corner; thence along said section line and the center line of Tully Road, South 1°04' East, 20.01 feet, to the point of beginning, containing 72.064 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-720

A RESOLUTION ACCEPTING IMPROVEMENTS IN WYLDEWOOD ESTATES NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Arthur J. Wylie, Jr. and Sharon L. Wylie, husband and wife, subdividers of Wyldewood Estates No. 3 Subdivision, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $58,000 and $29,000 respectively to guarantee improvements in Wyldewood Estates No. 3 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated July 31, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Wyldewood Estates No. 3 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $58,000 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $29,000 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 August, 1973, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-721

A RESOLUTION ACCEPTING STREET REPAIRS IN COFFEE PLAZA NO. 5 SUBDIVISION AND AUTHORIZING RELEASE OF BOND

WHEREAS, on January 15, 1973, the Modesto City Council accepted the improvements in Coffee Plaze No. 5 Subdivision but required the developer to post a $6,000 bond to insure that expected failures were repaired; and

WHEREAS, the Public Works Department has reported that the repairs have been completed satisfactorily and has recommended that the $6,000 bond be released.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the required street repairs in Coffee Plaza No. 5 are hereby accepted; and

BE IT FURTHER RESOLVED that the $6,000 bond posted to insure said repairs is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-722

A RESOLUTION ACCEPTING FENCE IMPROVEMENTS IN GREENBRIER NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF BOND

WHEREAS, On December 15, 1969, a portion of the improvements in Greenbrier No. 3 Subdivision were accepted by the Council of the City of Modesto and a security in the amount of $1,100 was posted with the City Clerk to insure the completion of the remaining improvements (installation of a redwood and pilaster fence); and

WHEREAS, the Department of Public Works has recommended that the fence installation be accepted and the $1,100 security be released.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the installation of a redwood and pilaster fence in Greenbrier No. 3 Subdivision is hereby accepted and the City Clerk is authorized to release the $1,100 posted to insure satisfactory installation of the redwood and pilaster fence upon recordation of the Notice of Completion.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-723

A RESOLUTION AMENDING THE BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1974, TO ESTIMATE ADDITIONAL REVENUE AND TO REVISE THE AMOUNTS APPROPRIATED IN THE SPECIAL GAS TAX STREET IMPROVEMENT FUND (FUND NO. 207).

WHEREAS, it is anticipated that there will be an additional $171,615.00 in State and Federal subventions available during the fiscal year ending June 30, 1974, for street projects, and

WHEREAS, it is anticipated that an additional $89,500.00 will be contributed by the County of Stanislaus during the fiscal year ending June 30, 1974, for street projects budgeted in the Special Gas Tax Street Improvement Fund (Fund No. 207), and

WHEREAS, Federal Revenue Sharing money of $280,286.00 is available during the fiscal year ending June 30, 1974, for street improvements, and

WHEREAS, revised project costs, and the addition of an improvement project on G Street between 1st and 16th Streets, require that an additional $442,300.00 be appropriated in the Special Gas Tax Street Improvement Fund (Fund No. 207) for street work during the fiscal year ending June 30, 1974,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto Final Budget, 1973-74, be amended to estimate additional revenue as follows:

(1) That additional revenue of $171,615.00 be and is hereby estimated in the Special Gas Tax Street Improvement Fund (Fund No. 207) to be recorded in Revenue Account Federal and State Share of Street Projects (Account No. 265).

(2) That additional revenue of $89,500.00 be and is hereby estimated in the Special Gas Tax Street Improvement Fund (Fund No. 207) to be recorded in Revenue Account County Share of Street Projects (Account No. 266).

(3) That Federal Revenue Sharing money of $ 280,286.00 is authorized to be transferred from the Revenue Sharing Trust Fund (Fund No. 611) Gas Tax Street Improvement Fund (Fund No. 207) as needed for project expenditures for Briggsmore Expressway improvements budgeted in Account No. 6715.

BE IT FURTHER RESOLVED that the City of Modesto Final Budget, 1973-74, be amended to revise the amounts appropriated in the Special Gas Tax Street Improvement Fund (Fund No. 207) for the following accounts:

Account No.	Name	Amount Originally Budgeted	Amount of Increase	Revised Amount Appropriated
6682	Rumble Road at TWSRR	$ 4,000.00	$4,000.00	$ 8,000.00
6695	Virginia-Morris Syphon	88,800.00	14,200.00	103,000.00
6704	El Vista/Edgebrook to Yosemite	66,000.00	87,000.00	153,000.00
6715	Briggsmore/Prescott to McHenry	853,000.00	110,000.00	963,000.00
6725	Coffee/Brighton to Briggsmore	61,600.00	27,400.00	89,000.00
6738	Scenic/Burney to Co. Hospital	140,000.00	43,000.00	183,000.00
6648	Paradise/Franklin to 1st	122,300.00	53,700.00	176,000.00
	G/First to 16th	-0-	103,000.00	103,000.00

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 20th day of August, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chyrowoweth
W. T. CHYROWOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-724

A RESOLUTION APPROVING RENEWAL OF GROUP MEDICAL INSURANCE CONTRACT WITH CALIFORNIA BLUE SHIELD ON A YEARLY BASIS COMMENCING SEPTEMBER 1, 1973, AND AUTHORIZING THE PAYMENT OF THE BIWEEKLY PREMIUM OF $6.50 PER EMPLOYEE AND $2.66 TOWARDS THE BIWEEKLY PREMIUM FOR EMPLOYEE'S DEPENDENT COVERAGE WHEN CARRIED BY EMPLOYEES.

WHEREAS, the City of Modesto has a group medical insurance contract with California Blue Shield, and

WHEREAS, California Blue Shield has offered to renew the city's group medical insurance contract on a yearly basis at increased rates of $6.50 biweekly per employee and $13.65 biweekly for dependent coverage,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that renewal of the City of Modesto's group medical insurance contract (Policy No. 17930) with California Blue Shield commencing September 1, 1973, on a yearly basis with premium rates commencing September 4, 1973, of $6.50 biweekly per employee and $13.65 biweekly for dependent coverage is hereby approved.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it hereby authorizes, commencing September 4, 1973, payment of $6.50 as the biweekly premium rate per employee for coverage under the city's group medical insurance contract with California Blue Shield.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it hereby authorizes, commencing September 4, 1973, payment of $2.66 towards the biweekly premium rate of $13.65 for employee's dependent coverage, under the city's group medical insurance contract with California Blue Shield, when such dependent coverage is carried by an employee of the city for his dependents.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that Resolution No. 72-665 adopted on the 22nd day of May, 1972, is hereby rescinded effective September 4, 1973.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1973, by Councilman Newton, who moved its adoption, which motion being duly

seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-725

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $13,368 TO PROVIDE FUNDS NEEDED FOR INCREASE IN GROUP HEALTH INSURANCE PREMIUMS

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

GENERAL RESERVE FUND (101)

FROM:	General Reserve (60-101)	$13,368
TO:	Group Health Insurance (426-64-101)	$13,368

(To cover increase in group health insurance premiums for period 9-1-73 through 6-30-74)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-726

AMENDMENT TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE L. AND DARLENE REED FOR ADDITIONAL OFFICE SPACE IN THE TERMINAL BUILDING AT THE AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to/agreement between the City of Modesto and George L. and Darlene Reed for additional office space in the terminal building at the Airport 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 20th day of August, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 727

A RESOLUTION OF THE MODESTO CITY COUNCIL PROTESTING THE EXECUTION OF AN OPEN SPACE CONTRACT APPLICATION NO. 74-1572 (HUBERT SCOTT).

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. 74-1572 (HUBERT SCOTT).

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 20th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 728

A RESOLUTION OF THE MODESTO CITY COUNCIL PROTESTING THE EXECUTION OF AN OPEN SPACE CONTRACT APPLICATION NO. 74-1573 (EULA SCOTT).

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. 74-1573 (EULA SCOTT).

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 20th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 729

A RESOLUTION OF THE MODESTO CITY COUNCIL OFFERING NO OBJECTION TO PROPOSED OPEN SPACE CONTRACT APPLICATION NO. 74-1574 (THEODORE MARTZ)

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 Open Space Contract Application not be opposed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does not oppose Open Space Contract Application No. 74-1574, (THEODORE MARTZ).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form (1/24/72)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-730

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $500 TO PROVIDE FUNDS FOR ELECTRICAL WIRING IN THE MODESTO COMMUNITY SERVICE CENTER

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

GENERAL RESERVE FUND (101)

FROM:	General Reserve (60-101)	$500
TO:	Electrical Wiring (5301-34-101)	$500

(This transfer is necessary to provide electrical wiring in the Modesto Community Service Center for the installation of a heating and cooling system by the Muir Trail Girl Scout Council. This installation was approved by the Council in the lease agreement of 8-13-73)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mensinger

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-731

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF MID VALLEY ENGINEERING TO APPEAL THE DENIAL BY THE PLANNING COMMISSION OF REQUEST FOR EXTENSION OF TIME TO DEVELOP P-D(53) (Berberian)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 24, 1973 , 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 request of Mid Valley Engineering to appeal the denial by the Planning Commission of request for extension of time to develop P-D(53) (Berberian).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August , 1973 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Kullijian, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-732

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PLAY AREA AT J. M. PIKE PARK (Biben's Nursery Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Play Area at J. M. Pike Park

has been completed by Bibens Nursery Co.

in accordance with the contract agreement dated March 12, 1973

NOW, THEREFORE, BE IT RESOLVED that the construction of Play Area at J. M. Pike Park

be accepted from said contractor, Bibens Nursery Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $6,300.00 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 27th day of August, 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-733

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINES IN OLD ORCHARD NO. 1 AND GRANADA PARK NO. 3 (Shield Construction Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Waterlines in Old Orchard No. 1 and Granada Park No. 3 has been completed by Shield Construction Co.

in accordance with the contract agreement dated November 6, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of Waterlines in Old Orchard No. 1 and Granada Park No. 3 be accepted from said contractor, Shield Construction Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $10,326.49 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 August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-734

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINES IN CARPENTER ROAD FROM MAZE TO ELM (Western Pipeline Co., Inc.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Waterlines in Carpenter Road from Maze to Elm has been completed by Western Pipeline Co., Inc.

in accordance with the contract agreement dated June 18, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of Waterlines in Carpenter Road from Maze to Elm be accepted from said contractor, Western Pipeline Co., Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $6,009.70 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 27th day of August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-735

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CURBS AND GUTTERS AT BEARD BROOK PARK (Lee White Paving Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of curbs and gutters at Beard Brook Park has been completed by Lee White Paving Co.

in accordance with the contract agreement dated June 18, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of curbs and gutters at Beard Brook Park be accepted from said contractor, Lee White Paving Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $11,192.92 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 August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-736

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR PAINTING OF DIGESTER STRUCTURE

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

SECTION 1. The plans and specifications for painting of digester structure

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 12, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-737

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE NEW GOLF COURSE TRACTOR WITH DUMP BODY

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

SECTION 1. The plans and specifications for furnishing one new golf course tractor with dump body 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 12, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-738

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE NEW SELF-PROPELLED VIBRATING ROLLER

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

SECTION 1. The plans and specifications for furnishing one new self-propelled vibrating roller

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 12, 1973 at 2:15 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-739

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE IMPROVEMENT OF MORRIS AVENUE AND VIRGINIA AVENUE AT MODESTO IRRIGATION DISTRICT LATERAL NO. 4 - TOPICS Project No. T-3048-(7)

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

SECTION 1. The plans and specifications for the Improvement of Morris Avenue and Virginia Avenue at M.I.D. Lateral No. 4 - TOPICS Project No. T-3048(7) 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 25, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-740

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR INSTALLATION OF WATERLINES IN SONOMA GARDENS, CAPISTRANO PARK NO. 1, 2, & 3, GREENFIELD VILLAGE NO. 4, AND WYLDEWOOD ESTATES NO. 4

WHEREAS, Resolution No. 73-657 , adopted by the Council of the City of Modesto on August 6, 1973 , approved the plans and specifications for the installation of waterlines in Sonoma Gardens, Capistrano Park No. 1, 2, & 3, Greenfield Village No. 4, and Wyldewood Estates No. 4 and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Sonoma Gardens, Capistrano Park No. 1, 2, & 3, Greenfield Village No. 4 and Wyldewood Estates No. 4 were opened at 10:00 A.M. on August 21, 1973 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 Joe Martin in the amount of $23,549.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $23,549.00

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 27th day of August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-741

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. (WHITMORE NO. 1 ADDITION)

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 July 9, 1973, duly adopted Resolution No. 73-609 (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. 109 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, August 27, 1973, at the hour of 7:30 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. 109 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. 109 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. 109, 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. 109, 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 27th day of August, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

May 14, 1973

WHITMORE NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southwest quarter of Section 9, Township 4 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 Southwest corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being the intersection of the Northern line of a 40 foot public road known as Whitmore Avenue and the Western line of the Tidewater Southern Railway Company right of way; thence along said Western line and existing City Limits, North 00°19'15" West, 1940.40 feet; thence leaving the existing City Limits, North 89°50'20" West, 579.67 feet; thence South 00°01'30" West, 1960.45 feet, to a point on the center line of said Whitmore Avenue, said line also being the section line common to Sections 9 and 16, above Township and Range; thence along said center line and said section line, South 89°51'00" East, 591.50 feet, to its intersection with the Southerly extension of the Western line of said Addition (85); thence along said Southerly extension, North 00°19'15" West, 20.00 feet, to the point of beginning, containing 26.354 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 August 27, 1973, 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 Councilman Elliott, seconded by Councilman Kullijian, and adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

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: August 28, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-742

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(115). (JIM PRICE - OAKRIDGE SINGLE-FAMILY TOWNHOUSES)

WHEREAS, a verified application for an amendment to Section 27-3-9 of the Zoning Map was filed by Jim Price on February 16, 1973, to prezone to Planned Development Zone, P-PD, the following described property:

ALL that portion of the Northeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

COMMENCING at the interior quarter corner of said Section 27; thence South 89° 41' East along the east-west quarter section line a distance of 29.04 feet; thence North 0° 33' 03" West along a line parallel to and 29.04 feet distant easterly at right angles from the north-south quarter line of said Section 27, a distance of 801.62 feet to the center line of Edgebrook Drive, a proposed 60.00 foot wide public street and the true point of beginning; thence along said center line of Edgebrook Drive the following 7 courses:

1) North 89° 26' 57" East, 336.25 feet; 2) thence in a northeasterly direction along a curve concave to the northwest through a central angle of 56° 17' 39" having a radius of 250.00 feet and a curve length of 245.63 feet; 3) North 33° 09' 18" East, 318.10 feet; 4) thence in a northeasterly direction along a curve concave to the southeast through a central angle of 33° 32' 42" having a radius of 250.00 feet and a curve length of 146.37 feet; 5) North 66° 42' East, 384.65 feet; 6) thence in a northeasterly direction along a curve concave to the southeast through a central angle of 23° 30' having a radius of 250.00 feet and a curve length of 102.54 feet; 7) South 89° 48' East, 0.42 feet to the intersection with the west line of Dry Creek Estates, as shown on the official map filed in Volume 34 of Maps at Page 19, Stanislaus County Records; thence North 0° 36' West along said west line of Dry Creek Estates, a distance of 317.14 feet; thence South 68° 56' 57" West, a distance of 286.29 feet; thence South 54° 56' 57" West a distance of 471.91 feet; thence South 67° 56' 57" West, a distance of 362.01 feet; thence South 77° 56' 56" West, a distance of 161.19 feet; thence North 81° 31' 44" West a distance of 136.71 feet to the intersection with a line parallel to and 29.04 feet distant easterly at right angles from said north-south quarter line of Section 27; thence South 0° 33' 03" East along said parallel line a distance of 442.09 feet to the point of beginning.

Containing 10.807 Acres.

WHEREAS, after public hearing held on July 17, 1973, and continued to July 24, 1973, it was found and determined by the Planning Commission that prezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The townhouse development as proposed in this planned-development zone meets the criteria for low density residential development established by the General Plan.

2. The proposed townhouse single-family housing would add another variety of housing to that now available in the neighborhood, a desirable principle set forth by the General Plan.

WHEREAS, after a public hearing held on August 27, 1973, the Council found and determined that the application of Jim Price 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. 1289-C.S. on the 27th day of August, 1973, prezoning the above-described property to Planned Development Zone, P-PD(115).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(115), is hereby approved in accordance with the plan titled "Proposed Development Plan, Oakridge Single-Family Townhouses" along with accompanying schematic detail plans designated sd1, sd2, sd3 and sd4, all dated July 17, 1973, which said plan along with said accompanying plans are on file in the office of the Planning Director, subject to the following conditions:

1. That all development shall be in accordance with the subject plans above.

2. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded in accordance with Chapter 4 of Title IV of the Modesto Municipal Code. If the subdivision is to be accomplished in stages, the first stage shall include construction of the recreation building and swimming pool, and dedication of the parkway shown on the east end of the proposed development plan.

3. That all parking and driveway areas be improved in accordance with provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.

4. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for review and approval by the Director of Parks and Recreation and Planning, and the Planning Commission. The landscaping and irrigation plan shall include all of Phase 1 of the project plus that portion of Phase 2 from Dry Creek Park to the top of the bluff, with said plans to also include an elevation of how the planting will look 5 years hence in relationship to elevations of proposed buildings.

5. That the development shall be connected to the City water and sanitary sewer facilities in accordance with the requirements of the Director of Public Works.

6. That prior to the issuance of a building permit, the developer shall submit to the Fire Chief and the Director of Public Works, for their approval, a plan showing the proposed location of all fire hydrants. The number of hydrants and their installation shall be in accordance with the requirements of the Fire Chief.

7. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

8. That prior to the issuance of a building permit for any development, the developer shall submit evidence satisfactory to the City Attorney, that there has been created a Homeowners Association to guarantee common areas improvement and maintenance in accordance with the approved plans.

9. That any signs within the entire P-D Zone shall comply with the R-1 Zone sign provisions.

10. That building plans for the townhouses shall indicate a standard detail for adequate storage for garbage and garden refuse. Said storage areas shall be screened from view of any public street. Said plan and screening shall be subject to approval of the Planning Director.

11. That the entire development be served with positive storm drainage facilities in accordance with requirements of the Director of Public Works.

12. That all landscaping, fences, and walls be maintained and that the premises be kept free of weeds, trash and other debris.

13. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting 37 street trees.

14. That the fencing to separate the subject project from Dry Creek Park be constructed in accordance with the schematic fence detail shown on sheet number "SD 1" submitted by the applicant and attached to the plot plan titled "Proposed Development Plan, Oakridge Single-Family Townhouses". Any proposed revisions to this fencing plan shall be approved by the Planning Director.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(115):

That the construction program be accomplished in two phases with phase one construction to begin on or before August 1, 1975, and be completed on or before August 1, 1976;

Phase two construction shall begin on or before August 1, 1976, and be completed on or before August 1, 1977.

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 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 prezoning the above-described property to Planned Development Zone, P-PD(115) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Richards
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-743

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RALPH ANDERSEN AND ASSOCIATES FOR RECRUITING SERVICES FOR POSITION OF CITY MANAGER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ralph Andersen and Associates
for recruiting services for position of City Manager (commencing on August 20, 1973)
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 August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-744

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $4,500 TO PROVIDE FUNDS FOR RECRUITMENT SERVICES BY RALPH ANDERSEN & ASSOCIATES

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$4,500
TO:	Manager Recruitment (458-65-101)	$4,500

(To provide for recruitment services by Ralph Andersen & Associates)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 19 73 , by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-745

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND THE FIRST BAPTIST CHURCH OF MODESTO AND ACCEPTING GRANT DEED FOR CHURCH PROPERTY LOCATED IN BLOCK 89 (Needham Street Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and the First Baptist Church of Modesto for church property located in Block 89 for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-746

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND THE FIRST BAPTIST CHURCH OF MODESTO AND ACCEPTING GRANT DEED FOR CHURCH PROPERTY IN BLOCK H (Needham Street Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and the First Baptist Church of Modesto for church property in Block H for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-747

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND ELMO WILSON, SR. AND BERTHA C. WILSON AND ACCEPTING GRANT DEED (Needham Street Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Elmo Wilson, Sr. and Bertha C. Wilson for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-748

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND ROY COFFEY AND DOROTHY COFFEY AND ACCEPTING GRANT DEED (Needham Street Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Roy Coffey and Dorothy Coffey for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-749

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS AND MODESTO IRRIGATION DISTRICT FOR THE INSTALLATION OF LANDSCAPING IN THE JOINT USE AREA OF THE INTERSECTION OF BRIGGSMORE AND SUNRISE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the cooperative agreement between the City of Modesto and County of Stanislaus and Modesto Irrigation District for the installation of landscaping in the joint use area of the intersection of Briggsmore and Sunrise be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said cooperative 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 August, 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-750

JOINT USE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS AND MODESTO IRRIGATION DISTRICT FOR THE JOINT USE OF MID PROPERTY IN THE INTERSECTION OF BRIGGSMORE-SUNRISE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the joint use/agreement between the City of Modesto and County of Stanislaus and Modesto Irrigation District for the joint use of MID property in the intersection of Briggsmore-Sunrise be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said joint use/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 August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-751

A RESOLUTION APPROPRIATING $1,700.00 DOLLARS FROM THE FUND BALANCE OF THE AIRPORT FUND (FUND NO. 230) TO THE HELICOPTER LANDING PAD ACCOUNT (ACCOUNT NO. 5302).

WHEREAS, the sum of $1,700.00 is available in the Fund Balance of the Airport Fund (Fund No. 230), and

WHEREAS, said sum will not be required for operating costs of the City during the 1973-74 fiscal year, and

WHEREAS, the City Council desires to appropriate said sum to the Helicopter Landing Pad Account (Account No. 5302) in order to cover construction costs of a helicopter landing pad,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of $1,700.00 be and is hereby appropriated to the Helicopter Landing Pad Account (Account No. 5302) from the Fund Balance of the Airport Fund (Fund No. 230).

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 27th day of August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By J. David Fitzsimons
J. DAVID FITZSIMONS, Assistant
City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 752

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SAVINGS ACCOUNT WITH GOLDEN WEST SAVINGS AND LOAN ASSOCIATION, BRANCH OFFICE, 833 10TH STREET, MODESTO, FOR THE CITY OF MODESTO'S DEFERRED COMPENSATION PLAN.

WHEREAS, Resolution No. 72-800 adopted by the Council of the City of Modesto on June 26, 1972, established a Deferred Compensation Plan for the employees of the City of Modesto, and

WHEREAS, the Deferred Compensation Agreements entered into by and between the City of Modesto and some of its employees who have elected to participate in the Plan provide for the monies deferred by said employees to be invested in a savings account to be established with a savings and loan association, and

WHEREAS, it is deemed desirable to establish such a savings account with Golden West Savings and Loan Association, Branch Office, 833 10th Street, Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the establishment of a savings account with Golden West Savings and Loan Association, Branch Office, 833 10th Street, Modesto for the investment of monies deferred by employees pursuant to the City of Modesto's Deferred Compensation Plan and as authorized by Section 53609 of the Government Code of the State of California.

BE IT FURTHER RESOLVED that said savings account may consist of a series of accounts in which the total amount deposited in said series of accounts does not exceed the amount insured by the Federal Savings and Loan Insurance Corporation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

(SEAL) ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-753

A RESOLUTION APPROVING ASSIGNMENT OF AIRPORT FIXED-BASE OPERATOR LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE L. REED AND DARLENE REED, DBA SILVAIR AVIATION, TO DR. ELISE D. SCHNEIDER

WHEREAS, an airport fixed-base operator lease agreement dated March 5, 1973 was executed between the City of Modesto and George L. Reed and Darlene Reed, dba Silvair Aviation; and

WHEREAS, George L. Reed and Darlene Reed have asked the City permission to transfer their interest in Silvair Aviation to Dr. Elise D. Schneider; and

WHEREAS, Dr. Elise D. Schneider has agreed by letter to be bound by and comply with all of the provisions of the Airport Fixed Base Operator Lease between the City of Modesto and George L. Reed and Darlene Reed, dba Silvair Aviation, dated March 5, 1973.

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

1. Assignment to Dr. Elise D. Schneider of Airport Fixed-Base Operator Lease dated March 5, 1973 between the City of Modesto and George L. Reed and Darlene Reed, dba Silvair Aviation, 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 August, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-754

A RESOLUTION CONSENTING TO COMMENCEMENT OF PROCEEDINGS TO ANNEX INHABITED TERRITORY DESIGNATED AS THE KANSAS AVENUE ADDITION TO THE CITY OF MODESTO UNDER THE ANNEXATION ACT OF 1913.

WHEREAS, on June 18, 1973, a request for consent to commence proceedings to annex certain territory referred to as the KANSAS AVENUE Addition to the City of Modesto was presented to the Council, and

WHEREAS, on June 18, 1973, said request was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, on August 21, 1973, the Modesto City Planning Commission rendered its report and recommendation to the City Council, favoring the commencement of annexation proceedings, and

WHEREAS, it is the desire of the City Council to give its consent to the commencement of such annexation proceedings upon the condition that the electors within said territory be informed at the time the petition for annexation is circulated that the question to be submitted to said electors shall be whether said territory shall be annexed to, incorporated in, and made a part of the City of Modesto and the property therein subjected to taxation after annexation equally with the property within the City to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election,

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

SECTION 1. That said unincorporated territory proposed to be annexed to the City of Modesto be and it is hereby designated as the KANSAS AVENUE Addition; said territory is contiguous to the City of Modesto and is shown on

that certain map marked Exhibit "A" entitled, "Proposed Kansas Avenue Addition", dated June 14, 1973, which is attached hereto and made a part hereof.

SECTION 2. That consent be and it is hereby granted for the commencement of annexation proceedings of said KANSAS AVENUE Addition in accordance with the Annexation Act of 1913, as amended, provided the petition for annexation contains the request that the question to be submitted to the electors residing in the territory proposed to be annexed shall be whether said territory shall be annexed to, incorporated in, and made a part of the City of Modesto and the property therein subjected to taxation after annexation equally with the property within the City to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

PROPOSED KANSAS AVENUE ADDITION

JUNE 14, 1973

N

1" - 600'

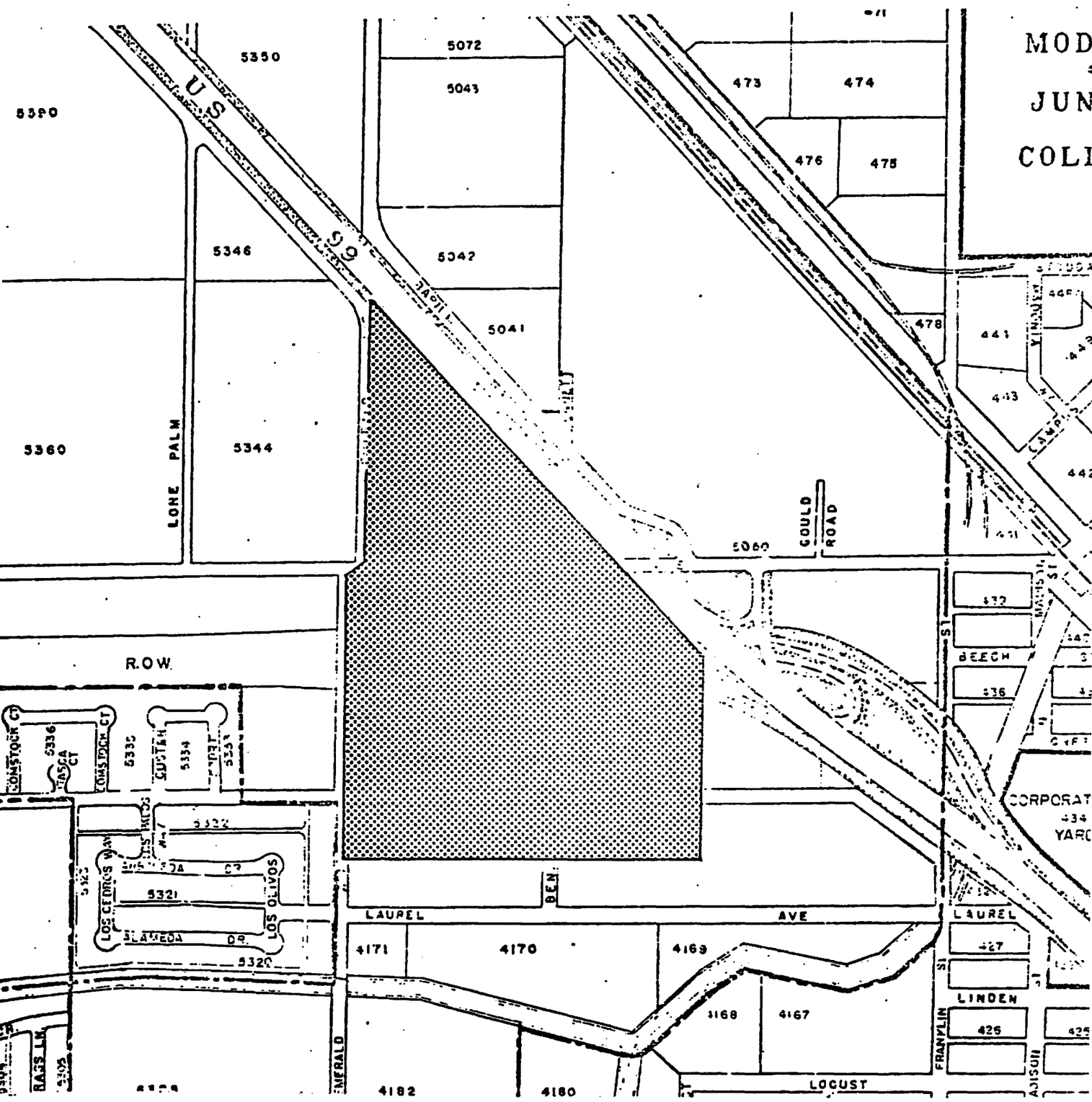


Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 73-755

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF OAKMONT NO. 1 AND 2 SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-88, adopted August 21, 19 73, approved the tentative map of Oakmont No. 1 and 2 Subdivision, and

WHEREAS, the approval by the Planning Commission of the tentative map of Oakmont No. 1 and 2 Subdivision was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed Oakmont No. 1 and 2 Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 27th day of August, 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-756

A RESOLUTION CHANGING THE NAME OF THAT PORTION OF FORTUNA AVENUE BETWEEN EDGEBROOK DRIVE AND MORAN AVENUE WHICH IS WITHIN THE CITY OF MODESTO TO PHOENIX AVENUE.

WHEREAS, a 40-foot wide part-width street exists between Edgebrook Drive and Moran Avenue, one-quarter mile west of El Vista Avenue, and

WHEREAS, the northerly 1/2 block and the southerly 1/2 block of said street was developed in conjunction with City subdivisions and was named Fortuna Avenue on recorded subdivision maps, and

WHEREAS, the intervening 2 blocks of said street was developed outside of the City in conjunction with a County subdivision and was named Fortuna Street on the recorded subdivision map, and this portion of said street remains outside of the City, and

WHEREAS, another City street named Fortuna Avenue exists between Haddon Avenue and Shaw Avenue which cannot be connected with the section between Edgebrook Drive and Moran Avenue because of intervening development which has occurred, and

WHEREAS, the section of Fortuna Avenue (Street) between Edgebrook Drive and Moran Avenue is to be extended southerly to align with Phoenix Avenue which exists north of Yosemite Boulevard, and

WHEREAS, Phoenix Avenue would be an appropriate name for the connected street alignment between Yosemite Boulevard and Edgebrook Drive, and

WHEREAS, it has been proposed that the name of Fortuna Avenue (Street) between Edgebrook Drive and Moran Avenue be changed to Phoenix Avenue, and

WHEREAS, the proposed name change has been referred to owners and residents of property and public agencies and utility companies and affected City departments, and no objections have been received, and

WHEREAS, the Planning Commission has recommended by Resolution No. 73-95, adopted on August 21, 1973, that in order to eliminate the conflict between two similar names for unconnected streets it would be in the public interest to change the name of Fortuna Avenue (Street) between Edgebrook Drive and Moran Avenue to Phoenix Avenue, within the City of Modesto,

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

1. That the street name of that portion of Fortuna Avenue between Edgebrook Drive and Moran Avenue which is within the City of Modesto be changed to Phoenix Avenue.

2. That the street name change of that portion of Fortuna Avenue between Edgebrook Drive and Moran Avenue referred to in Paragraph No. 1 above not become effective until such time as appropriate action is taken by the County of Stanislaus to change the name of that portion of Fortuna Street which is outside of the City to Phoenix Avenue.

3. That the Director of Parking and Traffic be directed to erect street name signs on that portion of Phoenix Avenue between Edgebrook Drive and Moran Avenue which is within the City of Modesto at the time the County of Stanislaus changes the name of that portion of Fortuna Street which is outside of the City to Phoenix Avenue.

4. That the City Clerk be directed to record a certified copy of this resolution with the Recorder of Stanislaus County and transmit a copy of this resolution to the Board of Supervisors, the County Clerk, and the County Surveyor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-757

A RESOLUTION SETTING TIME AND PLACE FOR HEARING THE PLANNING COMMISSION'S RECOMMENDATION TO AMEND ARTICLE 24 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE PERTAINING TO MINOR REVISIONS TO DEVELOPMENT PLANS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 17, 1973 at , 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 Planning Commission's recommendation to amend Article 24 of Chapter 2 of Title X of the Modesto Municipal Code pertaining to minor revisions to development plans.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, , 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-758

A RESOLUTION SETTING TIME AND PLACE FOR HEARING THE PLANNING COMMISSION'S RECOMMENDATION TO AMEND SECTION 23-3-9 OF THE ZONING MAP TO REPEAL P-D(97) (ELLIS & KLINK) AND REZONE THE PROPERTY TO R-1

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 24, 1973 , at 7:35 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 Planning Commission's recommendation to amend Section 23-3-9 of the Zoning Map to repeal P-D(97) (Ellis & Klink) and rezone the property to R-1 because of expiration of the approved development schedule; property located at the southeast corner of Old Oakdale Road and Orangeburg Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August , 1973 , by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 759

A RESOLUTION APPROVING REQUEST OF WESTERN GEOPHYSICAL COMPANY TO CONDUCT GEOLOGIC EXPLORATION ON CITY PROPERTY AT McCLURE ROAD NEAR DRY CREEK.

WHEREAS, the Western Geophysical Company on behalf of the Phillips Oil Company is conducting a geologic survey of lands adjacent to Dry Creek near McClure Road, and

WHEREAS, said company has requested authority to conduct such explorations on city-owned property south of Dry Creek and west of McClure Road described as:

> Lot # 1 of lands belonging to H. T. Crow as per map filed May 15, 1906, in Volume 2 of Maps, Page 28, Stanislaus County Records, lying south of lateral line # 2 of Modesto Irrigation District, and

WHEREAS, such geologic exploration will require use of survey crews, staking of a survey line approximately parallel to M. I. D. Lateral # 2 at each 330 foot mark, drilling of three to five holes approximately four inches in diameter by ten to eleven feet deep at a radius of twenty to forty-five feet surrounding every other 330 foot mark, implanting of one pound of ammonium nitrate explosive in each of such holes, filling and tamping of such holes, placing of detectors, and detonation of such explosives approximately forty-eight hours later, and

WHEREAS, said property is presently in agricultural use and under lease to Eugene P. Simms and Raye Simms, husband and wife, as lessees,

NOW, THEREFORE, BE IT RESOLVED, that said Western Geophysical Company is hereby authorized to conduct such geologic explorations as described above and to engage in all other reasonable activities necessary thereto subject to the following conditions:

1. That the written consent by Eugene P. Simms and Raye Simms, the lessees, to said geologic exploration be filed with the City Clerk prior to conducting any such tests.

2. That said company hold the city harmless from and against any and all costs, damages, and liability arising out of such geologic exploration and tests.

3. That said company furnish to the City Clerk a policy or certificate of public liability and property damage insurance as shall protect

the city and any person employed by it, from claims for damages which may arise hereunder in the amounts given hereafter:

Public Liability Insurance for injuries including wrongful death in an amount not less than $100,000.00 for any one person, and in an amount not less than $500,000.00 on account of one accident; and Property Damage Insurance in an amount not less than $100,000.00 on account of one accident.

Said Public Liability Insurance policy and the certificate thereof furnished to the City Clerk shall contain a contractual liability endorsement stating that the policy is extended to cover the liability assumed by the company under the terms of this resolution, and shall also contain a cancellation endorsement that the insurance coverage may not be cancelled nor the amount reduced until ten (10) days after receipt by the City Clerk of a written notice of such cancellation or reduction in coverage.

4. That said geologic exploration and tests be conducted within thirty (30) days of the date of this resolution subject to a reasonable extension of time by the City Manager, and that the City Manager be notified as to the approximate time of the detonations.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the company and the lessees with a copy of this resolution. Company shall file a written acceptance of this resolution and evidence of the required insurance with the City Clerk, and no right shall be conferred hereby until said acceptance and evidence of the required insurance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By J. David Fitzsimons
J. DAVID FITZSIMONS, Assistant City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-760

A RESOLUTION APPROVING CONTRACT DOCUMENTS AND CALL FOR BIDS FOR BUS OPERATION

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

SECTION 1. The contract documents for bus operation, 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 25, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-761

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES AT W. UNION AVENUE AND McHENRY AVENUE

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

SECTION 1. The plans and specifications for installation of waterlines at W. Union Avenue and McHenry 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 September 18, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-762

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TENNIS COURTS AT DAVIS PARK (Lee White Paving Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of tennis courts at Davis Park

has been completed by Lee White Paving Co.

in accordance with the contract agreement dated May 29, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of tennis courts at Davis Park

be accepted from said contractor, Lee White Paving Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $75,494.00 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 4th day of September , 19 73 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-763

A RESOLUTION ACCEPTING THE CONSTRUCTION OF NEW FACILITIES AT PUMP STATION NO. 32 (Stanislaus Pump & Supply Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of New Facilities at Pump Station No. 32

has been completed by Stanislaus Pump & Supply Co.

in accordance with the contract agreement dated December 11, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of New Facilities at Pump Station No. 32

be accepted from said contractor, Stanislaus Pump & Supply Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $26,371.37 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 4th day of September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-764

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING CO. FOR THE CONSTRUCTION OF RUMBLE ROAD CROSSING OF THE TIDEWATER SOUTHERN RAILWAY

WHEREAS, Resolution No. 73-658 , adopted by the Council of the City of Modesto on August 6, 1973 , approved the plans and specifications for the construction of Rumble Road crossing of the Tidewater Southern Railway
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Rumble Road crossing of the Tidewater Southern Railway
were opened at 10:10 A.M. on August 28, 1973 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 Lee White Paving Co. in the amount of $7,245.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Co. in the amount of $7,245.00

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 4th day of September, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-765

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ASPHALT CONCRETE RESURFACING VARIOUS CITY STREETS, 1973-74, UNIT NO. 1 SELECT STREETS, UNIT NO. 2 RESIDENTIAL STREETS

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

SECTION 1. The plans and specifications for Asphalt Concrete Resurfacing Various City Streets, 1973-74, Unit No. 1 Select Streets, Unit No. 2 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 September 18, 1973 at 10:15 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-766

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATERLINES IN GRANADA PARK NO. 4

WHEREAS, Resolution No. 73-696 , adopted by the Council of the City of Modesto on August 13, 1973 , approved the plans and specifications for the installation of waterlines in Granada Park No. 4

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Granada Park No. 4
were opened at 10:00 A.M. on August 28, 1973 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 Valley Construction in the amount of $5,780.25

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Valley Construction in the amount of $5,780.25

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 4th day of September, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-767

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE TRAILER-MOUNTED HIGH PRESSURE SPRAYER

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

SECTION 1. The plans and specifications for furnishing one trailer-mounted high pressure sprayer
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 18, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 768

A RESOLUTION ADOPTING AN AFFIRMATIVE ACTION PROGRAM FOR THE CITY OF MODESTO AND DIRECTING THE CITY MANAGER TO IMPLEMENT SAID PROGRAM, AND RESCINDING RESOLUTION NO. 72-1028.

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 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 Affirmative Action Program for the City of Modesto, a copy of which is marked Exhibit "A" and attached hereto, and

WHEREAS, said Affirmative Action Program is designed to increase the number of ethnic minority and other disadvantaged people in the public service of the city and to insure that such increases be representative of the city's ethnic composition, and

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

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 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 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 Resolution No. 72-1028 adopted September 25, 1972, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

AFFIRMATIVE ACTION PROGRAM

AUGUST, 1973

Exhibit "A"

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I. GENERAL POLICY STATEMENT

Policy

1. 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 must be afforded to all persons regardless of race, color, religion, sex, or national origin. Further, that such equal opportunities shall apply in hiring, compensation, benefits, terms, conditions, and privileges of employment.

2. The City recognizes that 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.

Objectives

1. To remove artificial, arbitrary, or unnecessary barriers to employment and thereby increase opportunities for employment. To achieve equality of employment opportunities for all qualified persons.

2. To achieve a representation of minority and disadvantaged persons in City employment at all levels and in all categories so that a truly community representative work force may exist.

3. To carry Affirmative Action beyond hiring, especially into the areas of training and education, so that personal development and promotions may occur.

4. To involve seven persons in an Affirmative Action Committee. The City Manager is to appoint three department heads and two minority employees for three year terms and shall also appoint two City residents who are qualified to present the minority and disadvantaged person's view, for terms of three years. This committee shall be a resource and advisory group. The committee members shall select a chairman and all members shall have equal voting rights.

Responsibilities

1. The City Manager is responsible for the overall coordination, implementation, and interpretation of the Affirmative Action Program and to receive, review, and determine appropriate action on recommendations received from Affirmative Action Committee.

2. The Director of Personnel (City Manager) is responsible for reviewing and implementing any segments of the Program that deal with the merit system rules and regulations.

3. All department heads are responsible for reviewing the job classification structure of their respective departments in regards to education, experience, and skills required. The purpose of this review is to eliminate requirements that are non-essential. In addition, all departments shall continue to improve training, performance reviews, and exit interviews to meet current needs. All department heads will report on the Program's development in their areas of responsibility to the City Manager.

4. All management and supervisory personnel are to give this policy full support through leadership and personal example. Further, such personnel will be responsible for implementing and publicizing the policies of the Affirmative Action Program and to make every effort to insure that goals are achieved. Also, they must involve all employees in providing solutions to any problems that arise in the program.

5. The Affirmative Action Committee shall present ideas, recommendations, and plans for Affirmative Action to obtain and maintain the established goals to the City Manager. Also, the Committee shall define and identify minority and disadvantaged groups.

6. The Personnel Officer shall review present personnel policies and procedures. Any corrective action that is deemed necessary shall be submitted to the City Manager. Also, a continuing employment ethnic census will be made and the results are to be used in setting goals and to evaluate the program. The census is not a quota system but will merely indicate guidelines.

Evaluation

1. The City Manager shall continuously monitor the Program and review the Program with all department heads and the Affirmative Action Committee.

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

II. IN HOUSE PROGRAM

Accessibility Requirements

In keeping with the essence and intent of Executive Order No. 11246 (as amended by Executive Order No. 11375), the Affirmative Action Program, the following tables are offered as a guide for the future hiring of minorities by the City of Modesto.

Table 1 shows the current (as of June 1, 1973) minority distribution profile for the entire city.

Table 2 shows the current (as of June 1, 1973) minority distribution profile for the five departmental groups within the city structure. Of the five departmental groups, only the Administration group contains departments that are not self-evident and they are: the divisions of the City Manager's Office, Finance, City Clerk's Office, City Attorney's Office, and Planning.

Table 3 shows the accessibility requirements for the various job categories within the city structure. The requirements reveal the need for minorities at the various levels.

Hiring

The hiring practices under the Affirmative Action Program will attempt to interest more minorities in the employment possibilities offered by the City of Modesto. Although the city's current minority employment profile is not far from being at the desired distribution level, a special effort has been put forward in the past, and will continue in the future, in order to attract minorities.

Notice of employment opportunities reach the minority communities via various media. For example, advertisements have been and will continue to be placed in local newspapers, on local television and radio (including Spanish speaking). Also, efforts will be made to contact minorities through the Human Resources Development Office.

Although there are no local minority publications, the people which they could reach are and will be reached by personal contact. The personal touch is also utilized in job counseling, training and testing. In testing particularly, when a language problem exists, the test proctor has in the past and will continue to read the questions to the applicant.

Promotion

As may be seen from the table marked 3, there is a definite need for more minorities to move up to supervisory and administrative positions. It is the policy of the City of Modesto to attempt to upgrade minorities already employed by the City, as well as to recruit them. Minorities, 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. These positions require no experience and may be filled by untrained persons. While in these positions, persons gain the necessary experience for promotion and are advised as to what type of formal education to seek in order to ensure success within their chosen career fields.

Grievance Machinery

The grievance machinery for the City of Modesto may be broken down into two categories: informal and formal. The informal procedure consists for the most part of informal conversations between employee and supervisor. If the grievance is of such a nature that it cannot be resolved informally, then there are formal procedures which may be utilized for its resolution.

The formal grievance procedure consists of written grievances submitted first to the supervisor. If satisfaction is not forthcoming, then the grievance is forwarded up the chain of command up to and including the City Manager (EEO Officer). The decision of the City Manager is final.

Staff Training

It will be the responsibility of the EEO Officer to inform and train staff members. He may designate some of this responsibility to the EEO Committee as well as other department heads. 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 department and will be encouraged to bring his department up to the desired level.

Community Relations

The EEO Officer will attempt in every way to become aware of the needs of the minority communities in the City of Modesto. Along with other staff members, he 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.

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.

The City of Modesto is aware of its employment shortcomings both overall and departmentally, and is attempting to rectify them. It will be the combined responsibility of the EEO Officer, the EEO Committee, the Personnel Officer, and the department heads to fill vacant positions with qualified minority individuals. The City is aware also of the number of minority persons who should be either upgraded or hired in order to bring the job category figures up to an acceptable level.

It is believed that within the next four 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.

TABLE 1

ACCESSIBILITY REQUIREMENTS		TOTAL		N		O		AO		SAM		C	
		M	F	M	F	M	F	M	F	M	F	M	F
CITY WIDE		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL	
CITY OF MODESTO	#	29,510	32,202	581	584	198	208	388	349	2,634	2,969	25,709	28,092
POPULATION		61,712		1,165		406		737		5,603		53,801	
(1970 FEDERAL CENSUS)	%	47.8	52.2	1.96	1.82	.67	.65	1.32	1.08	8.92	9.22	87.13	87.23
		100.0		1.88		.72		1.14		9.08		87.18	
CURRENT POSITIONS	#	454	68	14	0	3	1	16	1	21	0	400	66
IN CITY SERVICE		522		14		4		17		21		466	
AS OF JUNE 1, 1973	%	86.9	13.1	3.1	0	.7	1.5	3.5	1.5	4.6	0	88.1	97.0
		100.0				.8		3.2		4.0		89.3	
ACCESSIBILITY REQUIREMENTS	#	454	68	11	0	3	1	7	0	32	15	393	60
IN CITY SERVICE		522		11		4		7		47		453	
	%	86.9	13.1	2.42	0	.7	1.5	1.54	0	7.04	22.05	86.56	88.23
		100.0		2.2		.6		1.5		9.0		86.7	
SHORTCOMINGS				over 3		0		over 10		under 26		over 13	

TABLE 2

ACCESSIBILITY REQUIREMENTS	TOTAL		N		O		AO		SAM		7 C	
	M	F	M	F	M	F	M	F	M	F	M	F
DEPARTMENT WIDE	TOTAL		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL	
CURRENT POSITIONS	454	68	14	0	3	1	16	1	21	0	400	66
IN CITY SERVICE	522		14		4		17		21		466	
AS OF JUNE 1, 1973												
ADMINISTRATION:	21	30	0	0	0	1	0	0	0	0	21	29
CURRENT POSITIONS	51		0		1		0		0		50	
ACCESSIBILITY REQUIREMENTS	13	26	(0) .46	(1) .66	(0) .12	(0) .18	(0) .32	(1) .45	(2) 1.89	(3) 2.70	(18) 18.21	(26) 26.01
SHORTCOMINGS	39		1.12 (1) under 1		.30 (0) over 1		.76 (1) under 1		4.59 (5) under 5		44.22 (44) over 6	
FIRE DEPARTMENT:	81	2	1	0	0	0	0	0	1	0	79	2
CURRENT POSITIONS	83		1		0		0		1		81	
ACCESSIBILITY REQUIREMENTS	81	2	(2) 1.78	(0) .05	(0) .48	(0) .01	(1) 1.22	(0) .03	(8) 7.29	(0) .18	(70) 70.23	(2) 1.73
SHORTCOMINGS	83		1.83 (2) under 1		.49 (0) 0		1.25 (1) under 1		7.47 (8) under 7		71.96 (72) over 9	
POLICE DEPARTMENT:	106	22	2	0	0	0	5	1	7	0	92	21
CURRENT POSITIONS	128		2		0		6		7		113	
ACCESSIBILITY REQUIREMENTS	106	22	(2) 2.33	(1) .49	(1) .64	(0) .13	(2) 1.59	(0) .33	(9) 9.54	(2) 1.98	(92) 91.90	(19) 19.0
SHORTCOMINGS	128		2.82 (3) under 1		.77 (1) under 1		1.92 (2) over 4		11.53 (11) under 4		110.96 (111) over 2	
PARKS AND RECREATION:	66	6	4	0	2	0	4	0	6	0	50	6
CURRENT POSITIONS	72		4		2		4		6		56	
ACCESSIBILITY REQUIREMENTS	66	6	(2) 1.45	(0) .13	(0) .40	(0) .03	(1) .99	(0) .09	(6) 5.94	(1) .54	(57) 57.22	(5) 5.20
SHORTCOMINGS	72		1.58 (2) over 2		.43 (0) over 2		1.08 (1) over 3		6.48 (7) under 1		62.42 (62) under 6	

	TOTAL		N		O		AO		SAM		C	
	M	F	M	F	M	F	M	F	M	F	M	F
	TOTAL		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL	
PUBLIC WORKS AND PARKING & TRAFFIC:	180	8	7	0	1	0	7	0	7	0	158	8
CURRENT POSITIONS	188		7		1		7		7		166	
ACCESSIBILITY REQUIREMENTS	180	8	(4) 3.96	(0) .18	(1) 1.08	(0) .05	(3) 2.70	(0) .12	(16) 16.20	(1) .72	(156) 156.06	(7) 6.94
SHORTCOMINGS	188		4.13 (4) over 3		1.13 (1) 0		2.82 (3) over 4		16.92 (17) under 10		162.99 (163) over 3	

TABLE 3

ACCESSIBILITY REQUIREMENTS / JOB CATEGORIES	TOTAL M	TOTAL F	N M	N F	O M	O F	AO M	AO F	SAM M	SAM F	C M	C F
	TOTAL		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL	
MANAGERIAL:	57	2	0	0	1	0	0	0	0	0	56	2
CURRENT POSITIONS	59		0		1		0		0		58	
ACCESSIBILITY REQUIREMENT	57	2	(1) 1.25	(0) .05	(1) .44	(0) .01	(1) .86	(0) .07	(5) 5.13	(0) .18	(49) 49.41	(2) 1.74
SHORTCOMINGS	59		1.30(1) under 1		.45(1) 0		.88(1) under 1		5.31(5) under 5		51.15(51) over 7	
PROFESSIONAL & TECHNICAL:	60	7	0	0	2	1	0	0	0	0	58	6
CURRENT POSITIONS	67		0		3		0		0		64	
ACCESSIBILITY REQUIREMENT	60	7	(2) 1.32	(0) .15	(0) .36	(0) .04	(1) .90	(0) .10	(5) 5.40	(1) .63	(52) 52.02	(6) 6.06
SHORTCOMINGS	67		1.47(2) under 2		.40(0) over 3		1.00(1) under 1		6.03(6) under 6		58.08(58) over 6	
CLERICAL & OFFICE:	5	58	1	0	0	0	0	1	0	0	4	57
CURRENT POSITIONS	63		1		0		1		0		61	
ACCESSIBILITY REQUIREMENT	7	56	(0) .11	(1) 1.28	(0) .02	(0) .35	(0) .08	(1) .87	(1) .45	(5) 5.22	(5) 4.34	(50) 50.28
SHORTCOMINGS	63		1.39(1) 0		.37(0) 0		.95(1) 0		5.67(6) under 6		54.62(55) over 6	
CUSTODIAL & SERVICE:	332	1	13	0	0	0	16	0	21	0	282	1
CURRENT POSITIONS	333		13		0		16		21		283	
ACCESSIBILITY REQUIREMENT	332	1	(7) 7.30	(0) .03	(2) 1.99	(0) .0	(5) 4.98	(0) .01	(30) 29.88	(0) .17	(7.88) 287.84	(1) .87
SHORTCOMINGS	333		7.33(7) over 6		1.99(2) under 2		4.99(5) over 11		29.97(30) under 9		288.71(289) under 6	
TOTALS:	454	68	14	0	3	1	16	1	21	0	400	61
CURRENT POSITIONS	522		14		4		17		21		466	
ACCESSIBILITY REQUIREMENT	455	67	10	1	3	0	7	1	41	6	394	59
SHORTCOMINGS	522		11 over 3		3 over 1		8 over 9		47 under 26		453 over 13	

TABLE 4

JOB TURNOVER - ENTRY LEVEL

DEPARTMENT	TYPE & NUMBER OF TURNOVER	TOTAL
	1970	
Public Works	L-8, A-3	11
Parks & Recreation	L-1, C-1	2
Police & Fire	L-1, C-7, P-9, F-3	21
Finance	C-3	3
		37
	1971	
Public Works	L-10	10
Parks & Recreation	L-6	6
Police & Fire	L-2, C-5, P-8, F-1	16
Finance	C-3	3
Parking & Traffic	L-1, A-3	4
		39
	1972	
Public Works	L-16, A-1, C-3	20
Parks and Recreation	L-5	5
Police & Fire	L-2, C-3, P-2, F-3	10
Finance	C-5	5
Planning	C-2	2
		40
	1973 (As of 6-1-73)	
Public Works	L-10, C-1, A-1	12
Police & Fire	L-1, C-3, P-3, F-2	9
Finance	C-1	1
Planning	A-1, C-1	2
		24
	GRAND TOTAL	140
	Average Per Year	35

* L-Laborer and Skilled C- Clerical A-Aide
P-Policeman F-Fireman

TABLE 5

AFFIRMATIVE ACTION TIMETABLE

The following time schedule is to be used to insure that the City work force is representative of the community.

1. By June 30, 1974, the work force makeup will be at least representative of the racial population makeup of the City of Modesto.

   This goal, nor the schedule under item #2, will be construed to mean that a quota system is to be maintained by the City of Modesto. A racially representative work force is a minimal standard. The hiring of racial minorities will continue after the representative level has been accomplished and they will be eligible to apply for and be hired into any and all openings.

2. The following schedule will be used in order to obtain ethnic representation throughout the organization in the various levels and occupational groups.

   New Hires & Promotions:

Clerical	- 1 Black - June 30, 1974
	6 Spanish Surname - June 30, 1974
Custodial & Service	- 2 Spanish Surname - June 30, 1974
	2 Spanish Surname - June 30, 1975
	2 Oriental - June 30, 1975
	2 Spanish Surname - June 30, 1976
Managerial	- 1 Black - June 30, 1975
	2 Spanish Surname - June 30, 1975
	2 Spanish Surname - June 30, 1976
	2 Spanish Surname - June 30, 1977
Professional & Technical	- 1 Spanish Surname - September 30, 1973
	1 Spanish Surname - June 30, 1974
	1 Black - June 30, 1975
	1 Spanish Surname - June 30, 1976
	1 Black - June 30, 1976
	1 Spanish Surname - June 30, 1977

The above has been projected by using expected turnover patterns and anticipated growth in the number of employees.

A constant effort will be maintained to employ females and prepare present employees for promotional examinations.

(MSD - A1)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-769

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (ORANGEBURG-EASTRIDGE ADDITION)

WHEREAS, there has been annexed to the City of Modesto on August 6, 19 73, certain territory known as ORANGEBURG-EASTRIDGE Addition, and

WHEREAS, the inclusion of the area contained in ORANGEBURG-EASTRIDGE Addition 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 ORANGEBURG-EASTRIDGE Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 111.

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 23, 19 73, at the hour of 7:30 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 judgment 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. 111 .

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) 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) On the Southern line of East Briggsmore Avenue on the Western line of the Annexation.

(2) On the Northern line of East Orangeburg Avenue on the Western line of the Annexation.

(3) On the Northern line of East Orangeburg Avenue on the Eastern line of the Annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 111, 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 4th day of September, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By J. David Fitzsimons
J. DAVID FITZSIMONS
Assistant City Attorney

APPROVED AS TO DESCRIPTION:

By R. C. Marshall
Public Works Department

June 18, 1973

Revised July 24, 1973
as per Local Agency
Formation Committee

ORANGEBURG-EASTRIDGE ADDITION

All that real property in the State of California, County of Stanislaus, in the Northeast quarter of Section 23, 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 Northern line of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972, as Instrument 23377, Stanislaus County Records, said point being the Southeastern corner of the Western half of Lot 7 of the O. McHENRY RANCH Subdivision, as per map filed February 14, 1905, in Volume 2 of Maps, Page 7, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue; thence along the existing City Limits on said Northern line of Addition (292) and said center line of East Orangeburg Avenue, North 89°27'15" West, 1214.04 feet; thence North 00°15'15" West, 455.60 feet; thence North 89°27'15" West, 100.00 feet, to a point on the Western line of the Eastern half of Lot 6 of said O. McHENRY RANCH Subdivision; thence along said Western line of the Eastern half of Lot 6, North 00°15'15" West, 778.99 feet, to a point on the center line of a public road known as East Briggsmore Avenue; thence along said center line of East Briggsmore Avenue, South 82°15'45" East, 222.06 feet; thence continuing along the center line of East Briggsmore Avenue on a tangent curve concave to the North, having a Radius of 1200.00 feet, a Central Angle of 7°25'35" and an Arc Length of 155.54 feet; thence continuing along the center line of East Briggsmore Avenue on a tangent line, South 89°41'20" East, 939.29 feet, to a point on the Eastern line of said Western half of Lot 7 of the O. McHENRY RANCH Subdivision; thence along said Eastern line of the Western half of Lot 7, South 00°14'35" East, 1201.20 feet, to the point of beginning, containing 35.244 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-770

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

WHEREAS, a portion of the MC HENRY-DRY CREEK Fire Protection District in Stanislaus County was annexed to the City of Modesto as Orangeburg-Eastridge Addition by Resolution No. 73-693 adopted on August 6, 19 73, and said addition officially became a part of the City of Modesto on August 17, 1973, 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, THEREFORE, 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 MC HENRY-DRY CREEK Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 4th day of September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By J. David Fitzsimons
J. DAVID FITZSIMONS
Assistant City Attorney

APPROVED AS TO DESCRIPTION:

By RC Marshall
Public Works Department

8-29-73

June 18, 1973

Revised July 24, 1973
as per Local Agency
Formation Committee

ORANGEBURG-EASTRIDGE ADDITION

All that real property in the State of California, County of Stanislaus, in the Northeast quarter of Section 23, 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 Northern line of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972, as Instrument 23377, Stanislaus County Records, said point being the Southeastern corner of the Western half of Lot 7 of the O. McHENRY RANCH Subdivision, as per map filed February 14, 1905, in Volume 2 of Maps, Page 7, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue; thence along the existing City Limits on said Northern line of Addition (292) and said center line of East Orangeburg Avenue, North 89°27'15" West, 1214.04 feet; thence North 00°15'15" West, 455.60 feet; thence North 89°27'15" West, 100.00 feet, to a point on the Western line of the Eastern half of Lot 6 of said O. McHENRY RANCH Subdivision; thence along said Western line of the Eastern half of Lot 6, North 00°15'15" West, 778.99 feet, to a point on the center line of a public road known as East Briggsmore Avenue; thence along said center line of East Briggsmore Avenue, South 82°15'45" East, 222.06 feet; thence continuing along the center line of East Briggsmore Avenue on a tangent curve concave to the North, having a Radius of 1200.00 feet, a Central Angle of 7°25'35" and an Arc Length of 155.54 feet; thence continuing along the center line of East Briggsmore Avenue on a tangent line, South 89°41'20" East, 939.29 feet, to a point on the Eastern line of said Western half of Lot 7 of the O. McHENRY RANCH Subdivision; thence along said Eastern line of the Western half of Lot 7, South 00°14'35" East, 1201.20 feet, to the point of beginning, containing 35.244 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-771

A RESOLUTION APPROVING REQUEST OF LANDMARK BUILDERS, REPRESENTING THE OWNERS OF PROPERTY IN BLOCK 107 ON 14TH STREET, TO CONSTRUCT EXPOSED AGGREGATE CONCRETE IN PUBLIC SIDEWALK

WHEREAS, Landmark Builders, representing the owners of property in Block 107 on 14th Street, Modesto, California, has requested permission to install exposed aggregate sidewalk in the public sidewalk area; and

WHEREAS, the Director of Public Works in a memorandum dated August 24, 1973, has recommended approval of the request for exposed aggregate sidewalk in the public sidewalk area in Block 107 on 14th Street on the basis that on previous occasions the Council has approved the exposed aggregate sidewalk in the downtown area which have not created any problems.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Landmark Builders, representing the owners of property in Block 107 on 14th Street, for permission to construct exposed aggregate concrete sidewalk 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 September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-772

A RESOLUTION ACCEPTING IMPROVEMENTS IN NEWCASTLE ESTATES NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Gilbert Medeiros and Opal Medeiros, husband and wife, and A. W. McGuire and Ruth McGuire, husband and wife, individuals, subdividers of Newcastle Estates No. 2 Subdivision, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $31,000 and $15,500 respectively to guarantee improvements in Newcastle Estates No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated August 29, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Newcastle Estates No. 2 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $31,000 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $15,500 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 4th day of September, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-773

A RESOLUTION ACCEPTING BID OF CHUBB-PACIFIC INDEMNITY FOR RENEWAL OF FIDELITY BONDS FOR CITY EMPLOYEES

WHEREAS, bids for fidelity bonds for city employees were solicited through the Modesto Insurance Agents' Association for the period September 10, 1973 through September 10, 1976; and

WHEREAS, the quotations were obtained by the Modesto Insurance Agents' Associations; and

WHEREAS, the low bid was presented by Chubb-Pacific Indemnity in the amount of $2,105 advance premium for the three-year period beginning September 10, 1973 through September 10, 1976.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the low bid of Chubb-Pacific Indemnity in the amount of $2,105 for fidelity bonds for city employees for the three-year period beginning September 10, 1973 and ending September 10, 1976 is hereby accepted, payable in advance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-774

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $2,105 TO PROVIDE FUNDS FOR COSTS OF A THREE YEAR SURETY BOND

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

GENERAL RESERVE FUND (101)

FROM:	O.A.S.D.I. Contribution (424-64-101)	$2,105.00
TO:	Insurance, Surety Bond (414-64-101)	$2,105.00

(To provide funds for costs of a three year surety bond)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-775

LEASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND UNITED WAY OF STANISLAUS AREA FOR OFFICE SPACE IN THE MODESTO COMMUNITY SERVICE CENTER, 800 E. MORRIS AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto
lease
that the/agreement between the City of Modesto and United Way of Stanislaus Area for office space in the Modesto Community Service Center, 800 E. Morris Avenue be, and it is hereby approved.

lease
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 September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-776

A RESOLUTION ACCEPTING IMPROVEMENTS IN DRY CREEK ESTATES NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Kirkpatrick Homes, Inc. has filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $42,700 and $21,350 respectively to guarantee improvements in Dry Creek Estates No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated August 29, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Dry Creek Estates No. 2 Subdivision are hereby accepted.

2. The City Clerk is hereby authrozied to release the bond for faithful performance in the amount of $42,700 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $21,350 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 4th day of September, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-777

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO THE PACIFIC TELEPHONE & TELEGRAPH CO. TO PERMIT CONSTRUCTION OF PRIVATE FUEL LINES ACROSS THE ALLEY AT THE REAR OF THEIR BUILDING AT 1025 - 13TH STREET

WHEREAS, Pacific Telephone & Telegraph Co., Modesto, California, has filed a request with the Council of the City of Modesto for permission to construct private fuel lines across the alley at the rear of their building at 1025 - 13th Street; and

WHEREAS, the Director of Public Works in a memorandum dated August 30, 1973, has recommended that an encroachment permit be granted allowing the construction of private fuel lines across the alley at the rear of their building at 1025 - 13th Street under the following conditions:

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

1. An encroachment permit, revocable upon thirty (30) days written notice by the City of Modesto, is hereby granted to said applicant to install and maintain fuel pipes across the alley behind 1025 - 13th Street.

2. The revocable encroachment permit is subject to each of the conditions herein set forth, which conditions permittee agrees, by acceptance of this permit, to faithfully follow:

(a) Permittee, his successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto, or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, his successors and assigns, at his own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(c) In the event of revocation of this permit by the City, permittee agrees to remove the fuel lines and restore the alley to its original condition.

3. The City Clerk shall furnish permittee with a copy of the resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit, 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 4th day of September, 1973, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-778

A RESOLUTION APPROVING COOPERATIVE AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS TO DECLARE BRIGGSMORE AVENUE AT SUNRISE AVENUE A COUNTY ROAD FOR CONSTRUCTION PURPOSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the cooperative agreement between the City of Modesto and County of Stanislaus ~~xxxx~~ to declare Briggsmore Avenue at Sunrise Avenue a County Road for construction purposes be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said cooperative 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 September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 779

A RESOLUTION DECLARING THAT THE PORTION OF BRIGGSMORE AVENUE WITHIN THE CITY OF MODESTO IS A COUNTY HIGHWAY FOR PURPOSES OF CONSTRUCTION.

WHEREAS, the City of Modesto and the County of Stanislaus have entered into a cooperative agreement dated September 4, 1973, in which the County of Stanislaus proposes to improve that portion of Briggsmore Avenue that lies 530 feet west and 530 feet east of the intersection of Briggsmore Avenue and Sunrise Avenue, and the portion of Sunrise Avenue that lies 65 feet south and 65 feet north of the intersection, as a project financed by Federal Aid Secondary Funds, and

WHEREAS, seven-eighths of the intersection now is within the city limits, and

WHEREAS, the City of Modesto is desirous of joining the County of Stanislaus in the improvement of the above-mentioned intersection, and

WHEREAS, the County of Stanislaus has requested that the City declare that portion of Briggsmore Avenue at said intersection within the City to be a County highway for the purpose of said construction pursuant to the provisions of Section 1700, et. seq. of the Streets and Highways Code, in order to meet the requirements of said project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that pursuant to the provisions of Section 1700, et. seq. of the Streets and Highways Code, it hereby declares that portion of Briggsmore Avenue at the intersection of Briggsmore Avenue and Sunrise Avenue, which is proposed to be improved by the County of Stanislaus and which is within the City of Modesto, to be a County highway for the purpose of said construction during the term of said agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

(SEAL)

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM: J. David Fitzsimons
J. DAVID FITZSIMONS, Assistant City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-780
AMENDMENT TO

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND DAROLD JOLLIFF TO PROVIDE AN ADDITIONAL 3 MONTHS TO THE DATE CONSTRUCTION SHALL COMMENCE ON A NEW OFFICE BUILDING

BE IT HEREBY RESOLVED by the Council of the City of Modesto
amendment to
that the/agreement between the City of Modesto and Darold Jolliff

~~for~~ to provide an additional 3 months to the date construction shall commence on a new office building

be, and it is hereby approved.

amendment to
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 September, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-781

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $4,000 TO PROVIDE FUNDS FOR THE PROPOSED LAKEWOOD PARK LAND ACQUISITION

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

SPECIAL FUND FOR CAPITAL OUTLAY (321)

FROM:	General Reserve (60-321)	$4,000
TO:	Lakewood Park Acquisition (6412-31-321)	$4,000

(To provide for $2,500 additional land cost and $1,500 incidental costs (appraisals, title fees) for the proposed Lakewood Park site)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-782

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $350 TO PROVIDE FUNDS NEEDED FOR THE PROPOSED STANDIFORD PARK #2 LAND ACQUISITION

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (60-321)	$350.00
TO:	Standiford Park #2 Land Acquistion (6417-31-321)	$350.00

(This transfer is needed to pay the additional amount necessary to pay for extra moving expenses)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-783

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF A SUBTRUNK SEWER IN McHENRY AVENUE BETWEEN WARREN AND UNION

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

SECTION 1. The plans and specifications for construction of a subtrunk sewer in McHenry Avenue between Warren and Union 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 25, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-784

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF LIGHTING, SIDEWALKS AND PARKING LOTS AT DAVIS PARK AND DOWNEY PARK AND STREET IMPROVEMENTS ON CRESTVIEW DRIVE AND KRUGER DRIVE ADJACENT TO DOWNEY PARK

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

SECTION 1. The plans and specifications for construction of Lighting, Sidewalks and Parking Lots at Davis Park and Downey Park and Street Improvements on Crestview Dr. and Kruger Dr. adjacent to Downey 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 2, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 19 73 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-785

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR INSTALLATION OF WATER-LINES IN SPRINGCREEK NO. 1 SUBDIVISION

WHEREAS, Resolution No. 73-713 , adopted by the Council of the City of Modesto on August 20, 1973 , approved the plans and specifications for the installation of waterlines in Springcreek No. 1 Subdivision

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Springcreek No. 1 Subdivision

were opened at 10:00 A.M. on September 4, 1973 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 Joe Martin in the amount of $10,459.50

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $10,459.50

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 11th day of September, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-786

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $552 TO PROVIDE FUNDS FOR THE PURCHASE OF A REFRIGERATOR/FREEZER UNIT AT THE SENIOR CITIZEN'S CENTER

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$552
TO:	Refrigerator/Freezer (5501-39-101)	$552

(To provide an amount for the acquisition of a refrigerator/ freezer unit at the Senior Citizen's Center as authorized by the City Council 9-11-73)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of September, 19**73**, by Councilman** Kullijian **, who moved its adoption, which motion being duly seconded by Councilman** Newton **, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-787

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 October 1, 1973, at 4:05 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 attached 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 11th day of September, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

COST HEARINGS FOR 10/1/73 at 4:05 P.M.

(a) Sidewalk at 504 E. Rumble Rd., Lot 2 of Block 6993. (George J. Dedier - $189.20)

(b) Curb along Melrose Ave. at 508 E. Granger Ave., a portion of Block 1230. (Roy E. Huntley - $536.55)

(c) Sidewalk along Princeton Ave. at N.W. corner College Ave. & Princeton Ave., Lot 8 of Block 824. (George R. Sanders - $102.00)

(d) Curb and Sidewalk at 406 E. Granger Ave., a portion of Block 1231. (Gail M. Thomas - $555.00)

(e) Curb and sidewalk along E. Granger Ave. and along Melrose Ave. at 422 E. Granger Ave., a portion of Block 1231. (Guy W. Thomas - $1,486.90)

(f) Sidewalk along John Muir Ct. and along Morris Ave. at 141 John Muir Ct., Lot 2 of Block 606. (H. N. Vallez - $529.80)

(g) Sidewalk along Coldwell Ave. at 554 Enslen Ave., Lot 12 of Block 521. (Lealon G. Wyckoff - $358.00)

(h) Sidewalk along Miller Ave. at 1705 Miller Ave., Lot 7 of Block 2132-A. (Rose R. Smith - $390.80)

(i) Curb at 1209 Tuolumne Blvd., Lot 26 & 27 of Block 337. (Marc L. Soderstrom - $210.00)

(j) Curb and sidewalk at 1538 Sunrise Ave., a portion of Block 1223. (Gladys L. Todd - $592.50)

(k) Curb and sidewalk along Santa Barbara Ave. and along Haddon Ave. at 1213 La Loma, a portion of Block 2061-1. (Charles D. Woodard - $1,117.20)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-788

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BRYAN AND RITA M. GRIMES FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1233 HARRIS AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Bryan and Rita M. Grimes

for sewer service to property outside the City at 1233 Harris Ave.

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 September, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-789

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND A. G. SPANOS CONSTRUCTION, INC. FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 301 STANDIFORD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and A. G. Spanos Construction, Inc.
for sewer service to property outside the City at 301 Standiford 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 11th day of September, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-790

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO CITY SCHOOL DISTRICT OF STANISLAUS COUNTY WHEREBY CITY AGREES TO OPERATE TWENTY (20) MODESTO ELEMENTARY SCHOOL DISTRICT PLAYGROUNDS ON AN AFTERSCHOOL BASIS TO COMMENCE ON OR ABOUT SEPTEMBER 24, 1973, AND TO EXTEND TO ON OR ABOUT MAY 31, 1974

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto School District of Stanislaus County for operation of twenty (20) Modesto Elementary School District playgrounds on an afterschool basis to commence on or about September 24, 1973, and to extend to on or about May 31, 1974 (District to pay City $7,206.00 for these services) 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 September, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-791

LETTER
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MRS. FALA M. BOWLIN AND MR. RICHARD H. WALTERS FOR RELOCATION COSTS (Land Acquisition-Tuolumne River Regional Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto
letter
that the/agreement between the City of Modesto and Mrs. Fala M. Bowlin and Mr. Richard H. Walters for relocation costs (Land Acquisition-Tuolumne River Regional Park)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said letter/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 September, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-792

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 15-3-9 OF THE ZONING MAP (Harley Brannan)

WHEREAS, the Modesto City Planning Commission held a public hearing on September 4, 1973 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 15-3-9 of the Zoning Map to rezone from One-Family Residential, R-1, to Planned Development, P-D, for a 96-Unit One-Story Apartment complex property located on the north side of Floyd Avenue, east of Coffee Road the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-100 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 15-3-9 of the Zoning Map be set for October 9, 1973 at 7:30 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 1973 , by Councilmen Elliott , who moved its adoption, which motion being duly seconded by Councilman Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Vice Mayor Simon

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

All that certain real property situate in portion of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

BEGINNING at the Northeast corner of Coffee Plaza No. 4 according to the official map thereof, filed in Volume 23 of Maps at Page 36, Stanislaus County Records; thence along the South line of the Sylvan School property North 89° 36' 50" East 500.00 feet; thence South 0° 58' 25" East 659.90 feet to the centerline of Floyd Avenue; thence along said centerline South 89° 38' 35" West 465.00 feet to the Southerly extension of the East line of Parcel 1 of Book 17 of Parcel Maps at Page 12, Stanislaus County Records; thence along said Southerly extension and said East line of Parcel 1 North 0° 58' 25" West 439.84 feet; thence along the north line of said Parcel 1 South 89° 38' 35" West 35.00 feet to the East line of said Coffee Plaza No. 4; thence along said East line of Coffee Plaza No. 4 North 0° 58' 25" West 219.81 feet to the point of beginning.

CONTAINING: 7.22 acres.

"EXHIBIT A"

Sec. 15-3-9
(Brannan)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-793

A RESOLUTION DENYING REQUEST OF WILLIE GREEN AND ODESSA GREEN, THROUGH THEIR ATTORNEY, JAMES C. VAN DYKE, TO FILE A LATE CLAIM UNDER SECTION 911.4 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA

WHEREAS, Willie Green and Odessa Green, through their attorney, James C. Van Dyke, have made application to file a late claim against the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED that the application of Willie Green and Odessa Green, through their attorney, James C. Van Dyke, to present a late claim under Section 911.4 of the Government Code of the State of California be and hereby is denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-794

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN SYLVAN MEADOWS

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

SECTION 1. The plans and specifications for installation of waterlines in Sylvan Meadows

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 2, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-795

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL CO. FOR STREET LIGHT MODERNIZATION PHASE 5, 1972-73

WHEREAS, Resolution No. 73-655 , adopted by the Council of the City of Modesto on August 6, 1973 , approved the plans and specifications for the Street Lighting Modernization Phase 5, 1972-73

and authorized the calling for bids, and

WHEREAS, the bids received for the Street Lighting Modernization Phase 5, 1972-73
were opened at 2:00 P.M. on August 28, 1973 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 $174,336.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Industrial Electrical Co. in the amount of $174,336.00

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 17th day of September, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-796

A RESOLUTION ACCEPTING THE BID OF DON L. DAVIS TO PAINT ONE DIGESTER STRUCTURE

WHEREAS, Resolution No. 73-736 , adopted by the Council of the City of Modesto on August 27, 1973 , approved the plans and specifications for the painting of one digester structure

and authorized the calling for bids, and

WHEREAS, the bids received for the painting of one digester structure

were opened at 2:00 P.M. on September 12, 1973 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 Don L. Davis in the amount of $5,210.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Don L. Davis in the amount of $5,210.00

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 17th day of September, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-797

A RESOLUTION ACCEPTING THE BID OF BERRY EQUIPMENT RENTALS, INC., TO FURNISH ONE NEW SELF-PROPELLED VIBRATING ROLLER AND TRAILER

WHEREAS, Resolution No. 73-738 , adopted by the Council of the City of Modesto on August 27, 1973 , approved the plans and specifications for the furnishing of one new self-propelled vibrating roller and trailer
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one new self-propelled vibrating roller and trailer
were opened at 2:15 P.M. on September 12, 1973 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 Berry Equipment Rentals, Inc. at an estimated cost of $4,705.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Berry Equipment Rentals, Inc. at an estimated cost of $4,705.00
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 17th day of September, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-798

A RESOLUTION ACCEPTING THE BID OF H. V. CARTER CO., INC. TO FURNISH ONE NEW GOLF COURSE TRACTOR WITH DUMP BODY

WHEREAS, Resolution No. 73-737 , adopted by the Council of the City of Modesto on August 27, 1973 , approved the plans and specifications for the furnishing of one new golf course tractor with dump body

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one new golf course tractor with dump body

were opened at 2:30 P.M. on September 12, 1973 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 Co., Inc. at an estimated cost of $3,710.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of H. V. Carter Co., Inc. at an estimated cost of $3,710.00

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 17th day of September, 19 73 , by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-799

A RESOLUTION SETTING TIME AND PLACE FOR FURTHER PUBLIC HEARING ON APPEAL BY A & L INVESTMENT CO. TO DENIAL BY BOARD OF ZONING ADJUSTMENT OF AMENDMENT TO H-1 USE PERMIT TO ALLOW LONGER HOURS OF OPERATION FOR COMMERCIAL ESTABLISHMENTS ON WEST SIDE OF McHENRY, NORTH OF BOWEN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that October 9, 1973, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is further hereby set as the time and place for consideration of the appeal by A & L Investment Co. to denial by Board of Zoning Adjustment of amendment to H-1 Use Permit to allow longer hours of operation for commercial establishments on west side of McHenry, north of Bowen.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-800

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF PARK PLACE NO. 4 SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-101, adopted September 4, 19 73, approved the tentative map of Park Place No. 4 Subdivision, and

WHEREAS, the approval by the Planning Commission of the tentative map of Park Place No. 4 Subdivision was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed Park Place No. 4 Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 17th day of September, 19 73, by Councilman Mensinger, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-801

A RESOLUTION ACCEPTING IMPROVEMENTS IN GRANADA PARK NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, James E. Price and Melba L. Price, husband and wife, and Edward Johnson and Velma Johnson, husband and wife, individuals, subdividers of Granada Park No. 3 Subdivision, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $110,900 and $55,450 respectively to guarantee improvements in Granada Park No. 3 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated August 29, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Granada Park No. 3 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $110,900 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $55,450 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 17th day of September, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-802

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TIDEWATER SOUTHERN RAILWAY COMPANY FOR THE CONSTRUCTION OF BRIGGSMORE AVENUE ACROSS THE RIGHT OF WAY OF THE RAILROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Tidewater Southern Railway Company for the construction of Briggsmore Avenue across the right of way of the railroad 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 September, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/24-01-03

MODESTO CITY COUNCIL
RESOLUTION NO. 73-803

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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 improvements described in the notices which are attached hereto and incorporated by reference herein.

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 1st day of October, 1973, at 4:10 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 17th day of September, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/24-01-03

(a) Sidewalk at 435 Maze Blvd., Lot 10 and West 25 feet of Lot 9 of Block 4095. (Charlotte W. Pike)

(b) Sidewalk at 421 Maze Blvd., Lots 5 and 6 of Block 4095. (Henry W. Garber)

(c) Sidewalk along Maze Blvd. at 401 Maze Blvd., Lots 1 and 2 of Block 4095. (Henry W. Garber)

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Henry W. & Ida M. Garber

ADDRESS 1401 11th Street, Modesto, CA 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1 and 2 of Block 4095 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 4095, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 030-2801-003)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk along the street frontage abutting Maze Blvd. on the North side of Block 4095 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:10 p.m. on the 1st day of October, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 17th day of September, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

N O T I C E

NOTICE IS HEREBY GIVEN:
NAME Charlotte W. Pike

ADDRESS Route 5 2824 Woodland Av Modesto, CA 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 and the West 25 feet of Lot 9 of Block 4095 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 4095, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 030-2806-003)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Drive apron along the Street frontage abutting Maze Blvd. on the North side of Block 4095 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:10 p.m. on the 1st day of October, 1973, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 17th day of September, 1973.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:
NAME Henry W. & Ida M. Garber

ADDRESS 1401 11th street, Modesto, CA 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 5 and 6 of Block 4095 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 4095, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 030-2803-003)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

Sidewalk and apron along the Street frontage abutting Maze Blvd. on the North side of Block 4095 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 4:10 p.m. on the 1st day of October, 19 73, in the City Council Chambers, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 17th day of September, 19 73.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 73-804

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS STATE COLLEGE FOUNDATION TO PERMIT CITY OF MODESTO TO USE TWO STUDENTS FROM STANISLAUS STATE COLLEGE UNDER THE FEDERALLY FUNDED INTERGOVERNMENTAL PERSONNEL ACT OF 1970 FOR FALL SEMESTER 1973-74

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus State College Foundation

~~for~~ to permit City of Modesto to use two students from Stanislaus State College under the federally funded Intergovernmental Personnel Act of 1970 for fall semester 1973-74 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 September, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-805

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SYLVAN UNION SCHOOL DISTRICT OF STANISLAUS COUNTY WHEREBY CITY AGREES TO OPERATE THE SYLVAN UNION SCHOOL DISTRICT PLAYGROUNDS ON AN AFTER-SCHOOL BASIS, COMMENCING ON OR ABOUT SEPTEMBER 24, 1973 AND TO EXTEND TO ON OR ABOUT JUNE 1, 1974

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Sylvan Union School District

~~for~~ whereby City agrees to operate the Sylvan Union School District playgrounds on an afterschool basis to commence on or about September 24, 1973, and to extend to on or about June 1, 1974. (District to pay City $1,693.00 for these services)
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 September, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-806

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $280 TO PROVIDE FUNDS FOR AUTOMOBILE INSURANCE

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

SERVICE DIVISION WORKING CAPITAL FUND (512)

FROM:	Reserve (60-512)	$280.00
TO:	Automobile Insurance (412-48-512)	$280.00

(To provide funds for the amount over our budget estimate for automobile insurance)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** September, 1973, **by Councilman** Elliott, **who moved its adoption, which motion being duly seconded by Councilman** Dunlap, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmen:** Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: **Councilmen:** None

ABSENT: **Councilmen:** Simon

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-807

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $500 TO PROVIDE FUNDS FOR CATASTROPHE LIABILITY INSURANCE

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

GENERAL FUND (101)

FROM:	Public Liability Insurance (415-64-101)	$500.00
TO:	Catastrophe Liability (409-64-101)	$500.00

(To provide funds for the amount over our budget estimate for Catastrophe liability insurance)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-808

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $3,455 TO PROVIDE FUNDS TO HIRE A MICROFILM TECHNICIAN

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$3,455.00
TO:	Salaries & Wages - Part time (120-9-101)	$3,455.00

(To appropriate funds to hire a microfilm technician)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-809

A RESOLUTION GIVING NOTICE OF THE CITY COUNCIL'S INTENTION TO TERMINATE CABLECOM-GENERAL OF MODESTO'S FRANCHISE TO OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM WITHIN THE CITY OF MODESTO AND NAMING THE TIME AND PLACE FOR THE PUBLIC HEARING BY THE CITY COUNCIL ON THE COUNCIL' S INTENTION TO TERMINATE SAID FRANCHISE.

WHEREAS, Chapter 4 of Title XI of the Modesto Municipal Code, (commencing with Section 11-4. 01), sets forth the procedure for granting community antenna television franchises, and

WHEREAS, by Ordinance No. 934-C. S., the City Council of the City of Modesto, pursuant to said Municipal Code provisions, granted to Cablecom-General of Modesto, a California corporation, a nonexclusive franchise for fifteen (15) years to construct, operate and maintain a community antenna television system within the City of Modesto, and

WHEREAS, said franchise was accepted by Cablecom-General of Modesto by a written acceptance filed with the City Clerk of the City of Modesto on February 5, 1969, and said franchise became effective on said date, and

WHEREAS, Section 11-4. 05 of the Modesto Municipal Code provides that any franchise granted pursuant to Chapter 4 of Title XI of the Modesto Municipal Code may be terminated by the City Council prior to its date of expiration in the event that the Council finds, after thirty (30) days' notice of any proposed termination and public hearing, that the grantee of the franchise has failed to comply with any provision of said chapter, or has, by any act or omission, violated any term or condition of any franchise granted pursuant to said chapter, and

WHEREAS, this Council desires to give Cablecom-General of Modesto thirty (30) days' notice of proposed termination of Cablecom-General of Modesto's franchise to operate and maintain a community antenna television system within the City of Modesto, and to set the time and place for a public hearing on said proposed termination,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, pursuant to the provisions of Section 11-4. 05 of the Modesto Municipal Code, it hereby gives Cablecom-General of Modesto, a California corporation, and the grantee of a fifteen (15) year nonexclusive franchise to operate and maintain a community antenna television system within the City of Modesto, thirty (30) days' notice of the City Council's intention to terminate said franchise because Cablecom-General of Modesto has failed to comply with the following provisions of the following franchise documents:

(1) Provisions of Chapter 4 of Title XI of the Modesto Municipal Code, to wit, subsection (c) of Section 11-4.09, subsection (c) of Section 11-4.10 and subsection (b) of Section 11-4.18 of said Modesto Municipal Code.

(2) The statement that "Cablecom-General, Inc., will have its service available to every resident of Modesto inside of the time limit that is specified." in the ATTACHMENT FOR PAGE 6 of the "PROPOSAL AND APPLICATION FOR CATV FRANCHISE" dated October 30, 1968, submitted by Cablecom-General of Modesto and which attachment is entitled "ITEM 1. GENERAL-OPERATIONAL PLANS".

(3) The paragraph entitled "SERVICE OUTLETS TO EVERY SCHOOL" of the ATTACHMENT FOR PAGE 6 of the "PROPOSAL AND APPLICATION FOR CATV FRANCHISE" dated October 30, 1968, submitted by Cablecom-General of Modesto, and which attachment is entitled "CHANNEL FOR PRESENTATION OF AUDIO-VISUAL EDUCATION AND VOCATIONAL TRAINING IN MODESTO SCHOOLS AND FOR PROVISION OF SPECIAL INTEREST PROGRAMS BY LOCAL GOVERNING BODY."

BE IT FURTHER RESOLVED by the Council of the City of Modesto that Monday, November 12, 1973, at the hour of 7:35 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 public hearing by the Council of the City of Modesto, on the Council's intention to terminate said franchise. At said time and place fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider written and oral comments and arguments presented regarding the Council's intention to terminate said franchise.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City Clerk is hereby directed to send certified copies of this resolution to the following:

(1) Cablecom-General of Modesto

(2) Cablecom-General, Inc.

(3) RKO-General, Inc.

(4) The Federal Insurance Company of New Jersey

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL.
RESOLUTION NO. 73-810

A RESOLUTION APPROVING REQUEST OF DOWNTOWN IMPROVEMENT DISTRICT TO PURCHASE SIXTEEN NEW CHRISTMAS TREE DECORATIONS AND WAIVING FORMAL BID PROCEDURE

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

1. The request of Downtown Improvement District to purchase sixteen new Christmas tree decorations from Valley Decorating, Fresno, California for approximately $7,311.88 is hereby approved.

2. Be IT FURTHER RESOLVED that formal bid procedure is hereby waived.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1973 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-811

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN BOWEN AVENUE

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

SECTION 1. The plans and specifications for installation of waterlines in Bowen 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 October 9, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-812

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR PAVING OVERLAY IN BEARD BROOK PARK

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

SECTION 1. The plans and specifications for paving overlay in Beard Brook 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 9, 1973 at 10:15 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-813

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN OLD ORCHARD #2 SUBDIVISION

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

SECTION 1. The plans and specifications for installation of waterlines in Old Orchard #2 Subdivision
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 9, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-814

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATERLINES AT W. UNION AVENUE AND McHENRY AVENUE

WHEREAS, Resolution No. 73-761 , adopted by the Council of the City of Modesto on September 4, 1973 , approved the plans and specifications for the installation of waterlines at W. Union Avenue and McHenry Avenue
and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines at W. Union Avenue and McHenry Avenue
were opened at 10:10 A.M. on September 18, 1973 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 Valley Construction in the amount of $5,000.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Valley Construction in the amount of $5,000.00

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 24th day of September, 19 73, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-815

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR ASPHALT CONCRETE RESURFACING VARIOUS CITY STREETS, 1973-74, UNIT NO. 1 SELECT STREETS, UNIT NO. 2 RESIDENTIAL STREETS

WHEREAS, Resolution No. 73-765 , adopted by the Council of the City of Modesto on September 4, 1973 , approved the plans and specifications for the Asphalt Concrete Resurfacing Various City Streets, 1973-74, Unit No. 1 Select Streets, Unit No. 2 Residential Streets and authorized the calling for bids, and

WHEREAS, the bids received for the Asphalt Concrete Resurfacing Various City Streets, 1973-74, Unit No. 1 Select Streets, Unit No. 2 Residential Streets were opened at 10:15 A.M. on September 18, 1973 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 George Reed, Inc. in the amount of $46,730.50

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $46,730.50

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 24th day of September, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-816

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE NEW 60 K W EMERGENCY GENERATOR FOR FIRE STATION NO. 5

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

SECTION 1. The plans and specifications for furnishing one new 60 K W Emergency Generator for Fire Station 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 16, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-817

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (STANDIFORD-TULLY NO. 1)

WHEREAS, there has been annexed to the City of Modesto on August 20, 19 73, certain territory known as Standiford-Tully No. 1 Addition, and

WHEREAS, the inclusion of the area contained in Standiford-Tully No. 1 Addition 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 Standiford-Tully No. 1 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 112.

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

SECTION 5. Monday, November 12, 1973, at the hour of 7:30 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 judgment 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. 112.

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) 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) On the North side of Standiford Avenue at the West line of the Addition.

(2) On the Northwest corner of Standiford Avenue and Tully Road.

(3) On the East side of Tully Road on the South line of the Modesto Irrigation District Lateral No. 6.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 112, 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 24th day of September, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Rose Campbell
Public Works Department

9-21-73

May 14, 1973

STANDIFORD-TULLY NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 5, the East half of Section 7, and the Northwest quarter of Section 8, 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 point on the Northern line of the FRANCEK ADDITION (150), as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, said point being the intersection of the Southern line of a 40.00 foot public road known as Standiford Avenue and the section line common to Sections 7 and 8, said section line being also the center line of a public road known as Tully Road; thence along the existing City Limits and the boundary of said ADDITION (150), North 89°28' West, 1106.01 feet; thence leaving the existing City Limits, North 1°12'20" West, 483.57 feet; thence North 88°45'45" East, 596.78 feet; thence North 0°24'59" West, 895.60 feet, to a point on the Northern boundary of the Hetch Hetchy right of way; thence along the Northern boundary of said right of way, North 69°19'52" East, 525.60 feet to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, North 1°14'15" West, 939.78 feet, to a point on the Southern line of the M.I.D. Lateral No. 6; thence along the Southern line of the M.I.D. Lateral No. 6 the following courses: South 88°50'35" East, 395.43 feet; thence along a tangent curve, concave to the North, having a Radius of 367.90 feet, a Central Angle of 15°00'35", and an Arc Length of 96.38 feet; thence North 76°08'50" East, 550.40 feet; thence along a tangent curve, concave to the Northwest, having a Radius of 367.90 feet, a Central Angle of 17°51'08", and an Arc Length of 114.63 feet; thence leaving the M.I.D. Lateral No. 6, South 39°28'40" East, 47.44 feet; thence South 63°01'40" East, 50.00 feet, to a point on the Section line common to Section 5 and Section 8; thence along said section line, South 89°39'40" East, 1398.04 feet, to a point on the Western line of the Tidewater Southern Railroad right of way; thence along said Western line of said right of way, South 1°14'20" East, 850.56 feet, to the Southeastern corner of property conveyed to Walter P. Wesson, by deed recorded March 29, 1929, as Instrument 4246, Stanislaus County Records; thence along a Southern line of said Wesson property, North 89°39'40" West, 325.00 feet, to a Southwestern corner of the Wesson property; thence along a Western line of the Wesson property, North 1°14'20" West, 150.00 feet, to a point on a Southern line of the Wesson property; thence along said last mentioned Southern line, North 89°39'40" West, 1012.16 feet, to a point on said Southern line of the Hetch Hetchy right of way; thence along the Southern line of the Hetch Hetchy right of way, South 69°19'53" West, 1345.03 feet, to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, South 1°14'15" East, 1451.46 feet, to a point on the center line of Standiford Avenue, said point being also a quarter section corner; thence along said section line and the center line of Tully Road, South 1°04' East, 20.01 feet, to the point of beginning, containing 72.064 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 September 24, 19 73, 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 Councilman Dunlap, seconded by Councilman Kullijian, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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: September 25, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-818

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE SALIDA FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Salida Fire Protection District in Stanislaus County was annexed to the City of Modesto as Standiford-Tully No. 1 Addition by Ordinance No. 1286-C.S. adopted on August 20, 19 73, and said addition officially became a part of the City of Modesto on August 28, 19 73, 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, THEREFORE, 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 Salida Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 24th day of September, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

RHL 9-20-73

By Ron Campbell
Public Works Department

May 14, 1973

STANDIFORD-TULLY NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 5, the East half of Section 7, and the Northwest quarter of Section 8, 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 point on the Northern line of the FRANCEK ADDITION (150), as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, said point being the intersection of the Southern line of a 40.00 foot public road known as Standiford Avenue and the section line common to Sections 7 and 8, said section line being also the center line of a public road known as Tully Road; thence along the existing City Limits and the boundary of said ADDITION (150), North 89°28' West, 1106.01 feet; thence leaving the existing City Limits, North 1°12'20" West, 483.57 feet; thence North 88°45'45" East, 596.78 feet; thence North 0°24'59" West, 895.60 feet, to a point on the Northern boundary of the Hetch Hetchy right of way; thence along the Northern boundary of said right of way, North 69°19'52" East, 525.60 feet to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, North 1°14'15" West, 939.78 feet, to a point on the Southern line of the M.I.D. Lateral No. 6; thence along the Southern line of the M.I.D. Lateral No. 6 the following courses: South 88°50'35" East, 395.43 feet; thence along a tangent curve, concave to the North, having a Radius of 367.90 feet, a Central Angle of 15°00'35", and an Arc Length of 96.38 feet; thence North 76°08'50" East, 550.40 feet; thence along a tangent curve, concave to the Northwest, having a Radius of 367.90 feet, a Central Angle of 17°51'08", and an Arc Length of 114.63 feet; thence leaving the M.I.D. Lateral No. 6, South 39°28'40" East, 47.44 feet; thence South 63°01'40" East, 50.00 feet, to a point on the Section line common to Section 5 and Section 8; thence along said section line, South 89°39'40" East, 1398.04 feet, to a point on the Western line of the Tidewater Southern Railroad right of way; thence along said Western line of said right of way, South 1°14'20" East, 850.56 feet, to the Southeastern corner of property conveyed to Walter P. Wesson, by deed recorded March 29, 1929, as Instrument 4246, Stanislaus County Records; thence along a Southern line of said Wesson property, North 89°39'40" West, 325.00 feet, to a Southwestern corner of the Wesson property; thence along a Western line of the Wesson property, North 1°14'20" West, 150.00 feet, to a point on a Southern line of the Wesson property; thence along said last mentioned Southern line, North 89°39'40" West, 1012.16 feet, to a point on said Southern line of the Hetch Hetchy right of way; thence along the Southern line of the Hetch Hetchy right of way, South 69°19'53" West, 1345.03 feet, to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, South 1°14'15" East, 1451.46 feet, to a point on the center line of Standiford Avenue, said point being also a quarter section corner; thence along said section line and the center line of Tully Road, South 1°04' East, 20.01 feet, to the point of beginning, containing 72.064 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-819

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND LOEB'S DEPARTMENT STORE, INC. AND ACCEPTING GRANT DEED, PARCEL NO. 12350-1 (McHenry Avenue Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Loeb's Department Store, Inc. for the widening of McHenry Avenue is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed, Parcel No. 12350-1, with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-820

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND LOEB'S DEPARTMENT STORE, INC. AND ACCEPTING GRANT DEED, PARCEL 12350-3, (McHenry Avenue Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Loeb's Department Store, Inc. for the widening of McHenry Avenue is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed, Parcel No. 12350-3, with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-821

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ANTONIO G. RAMIREZ AND GERALDINE C. RAMIREZ AND ROGER A. TETERS FOR THE RELOCATION OF AN EXISTING POLE SIGN AND ACCEPTING QUITCLAIM DEED (McHenry Avenue Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Antonio G. Ramirez and Geraldine C. Ramirez and Roger A. Teters for the relocation of an existing pole sign for the widening of McHenry Avenue is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Quitclaim Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 822

A RESOLUTION AMENDING THE BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1974, TO ACCOUNT FOR FUNDS RECEIVED FROM THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE, THE STANISLAUS DRUG ABUSE COORDINATING COUNCIL AND THE MODESTO HIGH SCHOOL DISTRICT.

WHEREAS, the City of Modesto has entered into an agreement with the California Council on Criminal Justice (hereinafter referred to as CCCJ), whereby it will receive a grant, and

WHEREAS, the California Council on Criminal Justice requires that certain matching funds be provided by the applicant, and

WHEREAS. the exact amount of expected revenue from said grant and matching funds was unknown at the time the City of Modesto Final Budget, 1973-74, was approved,

NOW. THEREFORE, BE IT RESOLVED that the City of Modesto Final Budget, 1973-74, be amended as follows:

Estimated revenue increase from CCCJ	$ 4,375.00
Estimated revenue increase from Stanislaus Drug Abuse Coordinating Council	$ 5,937.00
Estimated revenue from Modesto High School District	$15,000.00

BE IT FURTHER RESOLVED that the City of Modesto Final Budget, 1973-74, be amended to provide appropriation adjustments as follows:

CCCJ Funds:

110 Salaries and Wages Regular -	increase	$ 16,038.00
204 Communications	decrease	$ (937.00)
210 Utilities	decrease	$ (1,091.00)
215 Rent of Real Property	decrease	$ (4,801.00)
222 Mtc. of Automotive Equipment-	decrease	$ (72.00)
301 Office Supplies	decrease	$ (535.00)
315 Educational Supplies	decrease	$ (355.00)
415 Liability Insurance	decrease	$ (657.00)
422 Unemployment Insurance	decrease	$ (1,116.00)
424 OASDI Contribution	decrease	$ (272.00)
429 Other Special Charges	increase	$ 375.00
	Net Increase	$ 6,577.00

Head Rest Funds:

110 Salaries and Wages, Regular	- increase	$ 1,054.00
204 Communications	increase	$ 900.00
208 Business Expense	increase	$ 1,500.00
215 Rent of Real Property	increase	$ 1,500.00
235 Services Prof. and Others	increase	$ 833.00
301 Office Supplies	increase	$ 825.00
315 Educational Supplies	increase	$ 600.00
316 Shelter Supplies	increase	$ 150.00
411 Compensation Insurance	increase	$ 169.00
415 Liability Insurance	increase	$ 450.00
422 Unemployment Insurance	increase	$ 2,048.00
424 OASDI Contribution	increase	$ 2,098.00
429 Other Special Charges	increase	$ 1,125.00
490 Indirect Costs	increase	$ 4,995.00
5401 Air Conditioners (used)	increase	$ 300.00
5402 Office Furniture (used)	increase	$ 188.00
	Total Increase	$18,735.00

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 24th day of September, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CITY OF MODESTO
RESOLUTION NO. 73-823

A RESOLUTION ACCEPTING IMPROVEMENTS IN POPPYPATCH NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Norman J. Winsor and Lola Jean Winsor, husband and wife, and Harold Eugene Thomas, a single man, indivisuals, subdividers of Poppypatch No. 1 Subdivison, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $118,200 and $59,100 respectively to guarantee improvements in Poppypatch No. 1 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated September 19, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Poppypatch No. 1 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $118,200 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $59,100 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 24th day of September, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-824

A RESOLUTION APPROVING LETTER AGREEMENT BETWEEN THE CITY OF MODESTO AND BURROUGHS CORPORATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the letter agreement between the City of Modesto and Burroughs Corporation and acceptance for extension of final date of delivery of computer from October 1, 1973 to October 15, 1973

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 September 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-825

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 16-3-9 OF THE ZONING MAP (Altamont Builders)

WHEREAS, the Modesto City Planning Commission held a public hearing on September 18, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 16-3-9 of the Zoning Map to prezone to Planned Development Zone, P-D, for a 67-Unit, 1 and 2-story condominium, property located on the west side of Sunrise Avenue between Norwegian Avenue and the Briggsmore Expressway
the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-108 recommending to the Council that prezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 16-3-9 of the Zoning Map be set for October 15, 1973 at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed prezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1973, by Councilmen Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

All that portion of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the point of intersection of the centerline of Norwegian Avenue with the centerline of Sunrise Avenue; thence Westerly along the centerline of Norwegian to the point of intersection with the centerline of Eldena Way; thence Southerly along the centerline of Eldena Way and the Southerly extension thereof to the point of intersection of the North line of Briggsmore Avenue; thence Southeasterly along the North line of Briggsmore Avenue to the point of intersection with the centerline of Sunrise Avenue; thence Northerly along the centerline of Sunrise to the point of intersection with the centerline of Norwegian Avenue, being the point of beginning; and

EXHIBIT "A"

Section 16-3-9
(Altamont Builders)

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 826

A RESOLUTION OF THE MODESTO CITY COUNCIL OFFERING NO OBJECTION TO PROPOSED OPEN SPACE CONTRACT APPLICATION NO. 74-1584 (Duane and Janice Flora)

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 Open Space Contract Application not be opposed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does not oppose Open Space Contract Application No. 74-1584 , (Duane and Janice Flora).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September , 1973 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form (1/24/72)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-827

A RESOLUTION REFERRING PETITION TO PLANNING COMMISSION REQUESTING ROAD CLOSURE AT INTERSECTION OF SUNRISE AND OXFORD WAY

WHEREAS, the residents of the Ashby and Muir Parks area presented the Modesto City Council with a petition requesting road closure at the intersection of Sunrise and Oxford Way as a means of halting the rising number of accidents and the increasing amount of traffic on Oxford Way and High Street.

NOW, THEREFORE, BE IT RESOLVED that the above mentioned petition be referred to the Planning Commission for report and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-828

A RESOLUTION ACCEPTING THE BID OF PARRISH, INC. FOR CONSTRUCTION OF SUB-TRUNK SEWER IN McHENRY BETWEEN WARREN AND UNION

WHEREAS, Resolution No. 73-783 , adopted by the Council of the City of Modesto on September 11, 1973 , approved the plans and specifications for the construction of a subtrunk sewer in McHenry Ave. between Warren and Union
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of a subtrunk sewer in McHenry Ave. between Warren & Union
were opened at 10:10 A.M. on September 25, 1973 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 Parrish, Inc. in the amount of $26,508.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Parrish, Inc. in the amount of $26,508.00

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 1st day of October, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-829

A RESOLUTION ACCEPTING THE BID OF HOWK WELL AND EQUIPMENT CO., INC. TO FURNISH ONE NEW TRAILER MOUNTED HIGH SPEED STAINLESS STEEL TANK SPRAYER

WHEREAS, Resolution No. 73-767 , adopted by the Council of the City of Modesto on September 4, 1973 , approved the plans and specifications for the furnishing of one trailer-mounted high pressure sprayer

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one trailer-mounted high pressure sprayer

were opened at 2:00 P.M. on September 18, 1973 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 Howk Well and Equipment Co., Inc. in the amount of $10,529.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Howk Well and Equipment Co., Inc. in the amount of $10,529.00

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 1st day of October, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 829-A

A RESOLUTION APPROPRIATING FOUR THOUSAND THREE HUNDRED FIFTY-SIX AND NO/100THS ($4,356.00) DOLLARS IN THE GENERAL RESERVE ACCOUNT (ACCOUNT NO. 60) OF THE SERVICE DIVISION WORKING CAPITAL FUND (FUND NO. 512) FROM THE UNAPPROPRIATED FUND BALANCE OF THE SERVICE DIVISION WORKING CAPITAL FUND (FUND NO. 512).

WHEREAS, the sum of Four Thousand Three Hundred Fifty-Six and no/100ths ($4,356.00) Dollars is available in the Unappropriated Fund Balance of the Service Division Working Capital Fund (Fund No. 512), and

WHEREAS, the Council desires to appropriate said sum to the General Reserve Account (Account No. 60) of the Service Division Working Capital Fund (Fund No. 512) to be available for the acquisition of spray equipment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Four Thousand Three Hundred Fifty-Six and no/100ths ($4,356.00) Dollars be and is hereby appropriated in the General Reserve Account (Account No. 60) of the Service Division Working Capital Fund (Fund No. 512) from the Unappropriated Fund Balance of the Service Division Working Capital Fund (Fund No. 512).

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 1st day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-829-B

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $4,356.00 TO PROVIDE FUNDS FOR TRAILER MOUNTED SPRAY RIG

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

WORKING CAPITAL FUND (512)

FROM:	Reserve Appropriation (60-48-512)	$4,356.00
TO:	Spray Rig (5442-48-512)	$4,356.00

(Memo from Finance Director with agenda. The budgeted cost of the trailer mounted spray rig was the cost of an agricultural unit. The unit required by the City must be capable of travel on streets and highways. Therefore, the bid price includes the cost of brakes, lights, heavier wheels, heavier frame and hitch approved for highway use)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-830

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. (COFFEE-FLOYD NO. 2 ADDITION)

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 August 13, 19 73, duly adopted Resolution No. 73-703 (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. 110 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, October 1, 19 73, 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. 110 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. 110 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. 110, 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. 110, 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 October, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R C Marshall
Public Works Department

RHH
8-17-73

Corrected April 17, 1973

COFFEE-FLOYD NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in Section 16, 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 COFFEE-FLOYD ADDITION (272), as per description filed June 22, 1971, as Instrument 23064, Stanislaus County Records, said point also being the intersection of the Section line common to Section 16 and Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and the quarter-quarter section line of the Northeast quarter of Section 16; thence along said quarter-quarter section line, North 89°29'40" West, 431.00 feet, to a Northeastern corner of the SHERWOOD TERRACE ADDITION (183), as per description filed November 9, 1965, as Instrument 43731, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (183), the following courses, South 0°54'15" East, 122.44 feet; North 89°30'40" West, 100.00 feet; South 0°54'15" East, 70.00 feet, to the Northwestern corner of the EAST FLOYD NO. 3 ADDITION (122), as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Recrods; thence along the existing City Limits and the boundary of said ADDITION (122) the following courses, South 89°27'57" East, 346.00 feet; South 0°53' East, 214.00 feet, to a Northwestern corner of the SHERWOOD MEADOWS ADDITION (175), as per description filed March 26, 1965, as Instrument 11993, Stanislaus County Records; thence along the existing City Limits and the boundary of said ADDITION (175), the following courses, South 89°30' East, 185.01 feet; North 0°53' West, 406.64 feet, to the point of beginning, containing 2.973 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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, 1973, 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 Councilman Simon, seconded by Councilman Dunlap, and adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

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 3, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-831

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. (504 E. Rumble Rd., Lot 2 of Block 6993 - George J. Dedier - $189.20)

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 October 19, 1972, adopt its Resolution No. 72-1087, 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, October 1, 1973, at 4:05 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 $189.20.

SECTION 2. That the cost of the aforesaid work, being the amount of $189.20, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 of Block 6993 of Norton Gardens as per map filed August 12, 1958 in Volume 19 of Maps, Page 5, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-5806-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 1st day of October, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-832

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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. (Along Melrose Ave. at 508 E. Granger Ave., a portion of Block 1230 - Roy E. Huntley - $536.55)

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 October 19, 1972, adopt its Resolution No. 72-1087, 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 gutter on property abutting the property hereafter described, and

WHEREAS, October 1, 1973, at 4:05 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 $536.55.

SECTION 2. That the cost of the aforesaid work, being the amount of $536.55, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 104.42 feet of the North 124.42 feet of the East 89 feet of the West 109 feet of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 031-0210-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 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 1st day of October, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-833

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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. (406 E. Granger Ave., a portion of Block 1231 - Gail M. Thomas - $555.00)

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, gutter and sidewalk on property abutting the property hereafter described, and

WHEREAS, October 1, 1973, at 4:05 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 $555.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $555.00, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The west 70 feet of the east 310 feet of the north 165 feet of Lot 1 of Coolidge Colony.

(Stanislaus County Assessor's Parcel No. 002-01 31-0204-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 1st day of October, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-834

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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. (Along E. Granger Ave. and along Melrose Ave. at 422 E. Granger Ave., a portion of Block 1231 - Guy W. Thomas - $1,486.90)

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 October 19, 19 72, adopt its Resolution No. 72-1087, 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, gutter and sidewalk on property abutting the property hereafter described, and

WHEREAS, October 1, 1973, at 4:05 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 $1,486.90.

SECTION 2. That the cost of the aforesaid work, being the amount of **$1,486.90**, be assessed in **10** annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 145 feet of the North 165 feet of the West 70 feet of the East 100 feet of Lot 1 of Coolidge Colony as per map filed November 15, 1910 in Volume 5 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-0207-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 **1st** day of **October**, 19**73**, by Councilman **Dunlap**, who moved its adoption, which motion being duly seconded by Councilman **Kullijian**, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: **Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies**

NOES: Councilmen: **None**

ABSENT: Councilmen: **None**

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-835

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. (Along John Muir Ct. and along Morris Ave. at 141 John Muir Ct., Lot 2 of Block 606. - H. N. Vallez - $529.80)

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 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, October 1, 19 73, at 4:05 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 $529.80.

SECTION 2. That the cost of the aforesaid work, being the amount of $529.80, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 of Block 606 of John Muir Tract.

(Stanislaus County Assessor's Parcel No. 002-01 111-5702-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 1st day of October, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-836

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. (Along Coldwell Ave. at 554 Enslen Ave., Lot 12 of Block 521 - Lealon G. Wyckoff - $358.00)

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 June 18, 19 73, adopt its Resolution No. 73-528, 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, October 1, 1973, at 4:05 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 $358.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $358.00, be assessed in 8 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 of Block 521 of Coleman Park Subdivision as per map filed September 21, 1950 in Volume 17 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 110-0113-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 1st day of October, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-837

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB & GUTTER 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. (1209 Tuolumne Blvd., Lot 26 and 27 of Block 337 - Marc L. Soderstrom - $210.00)

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 gutter on property abutting the property hereafter described, and

WHEREAS, October 1, 1973, at 4:05 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 $210.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $210.00, be assessed in 4 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 26 and 27 of Block 337 of the City of Modesto.

(Stanislaus County Assessor's Parcel No. 002-01 102-0252-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 1st day of October, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-838

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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. (1538 Sunrise Ave., a portion of Block 1223 - Gladys L. Todd - $592.50)

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, gutter and sidewalk on property abutting the property hereafter described, and

WHEREAS, October 1, 1973, at 4:05 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 $592.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $592.50, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 62.5 feet of the North 273.5 feet of the East 158.8 feet of the West 178.8 feet of the Northeast quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-1 031-0710-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 1st day of October, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-839

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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. (Along Santa Barbara Ave. and along Haddon Ave. at 1213 La Loma, a portion of Block 2061-1 - Charles D. Woodard - $1,149.20)

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, gutter and sidewalk on property abutting the property hereafter described, and

WHEREAS, October 1, 1973, at 4:05 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 $1,149.20.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,149.20, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

(That portion lying North of La Loma of the East 37 feet, more or less, of the West 55 feet of Lot 7 of Severin Colony.

(Stanislaus County Assessor's Parcel No. 002-01 108-1501-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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 1st day of October, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

PROJECT NO. 73/24-01-03

MODESTO CITY COUNCIL
RESOLUTION NO. 73-840

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

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, and

WHEREAS, the Council, did, on September 17, 1973, adopt its Resolution No. 73-803, 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, the Council did by said resolution, set the 1st day of October, 1973, at 4:10 o'clock 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, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 73-803, and

WHEREAS, at the time set for hearing the protests and objections, if any, 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 incorporporated 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 Resolution No. 73-803 and 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 1st day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

PROJECT NO. 73/24-01-03

(a) Sidewalk at 435 Maze Blvd, Lot 10 and West 25 feet of Lot 9 of Block 4095. (Charlotte W. Pike)

(b) Sidewalk at 421 Maze Blvd., Lots 5 and 6 of Block 4095. (Henry W. Garber)

(c) Sidewalk along Maze Blvd. at 401 Maze Blvd., Lots 1 and 2 of Block 4095. (Henry W. Garber)

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 841

A RESOLUTION DESIGNATING THE CHIEF OF POLICE OF THE CITY OF MODESTO AS THE ISSUING AUTHORITY WITHIN THE CITY OF MODESTO FOR THE PURPOSES SET FORTH IN PART 1 OF DIVISION 11 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA.

WHEREAS, Part 1 of Division 11 (commencing with Section 12000) of the Health and Safety Code of the State of California regulates the sale, use, handling and storage of explosives, and

WHEREAS, Section 12007 of the Health and Safety Code provides that the Chief of Police of a municipal police department of any city may be designated as the issuing authority of such city, for the purposes set forth in said Part 1 of Division 11 of the Health and Safety Code,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby designates the Chief of Police of the City of Modesto as the issuing authority within the City of Modesto for the purposes set forth in Part 1 of Division 11 of the Health and Safety 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 1st day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-842

A RESOLUTION ACCEPTING OFFER OF HEIRS AND TRUSTEE UNDER THE WILL OF ROSE MEHEGAN, DECEASED, FOR PURCHASE OF THE MEHEGAN PROPERTY ON TENTH STREET, BETWEEN H AND I STREETS, BY THE CITY OF MODESTO

WHEREAS, the heirs and Bank of America, trustee under the will of Rose Mehegan, deceased, have offered the Mehegan property located on 10th Street, between H and I Streets, for sale to the City of Modesto; and

WHEREAS, an offer of $138,000 has been made to the City of Modesto by the heirs and trustee of the estate of Rose Mehegan, deceased, for purchase of the Mehegan property.

NOW, THERFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the offer of the Mehegan heirs and Bank of America, as trustee under the will of Rose Mehegan, deceased, to purchase the Mehegan property located on Tenth Street, between H and I Streets, for $138,000.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1973 by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-843

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $135,000 TO PROVIDE FUNDS TO PURCHASE PROPERTY ON TENTH STREET FOR CITY HALL PARKING

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (60-321)	$135,000
TO:	City Hall Parking Annex Land Acquisition (6043-56-321)	$135,000

(To provide money to purchase property on Tenth Street for City Hall parking)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-844

A RESOLUTION APPROVING APPLICATION TO STATE DIVISION OF WATER QUALITY CONTROL FOR REIMBURSEMENT UNDER SECTION 206, P. L. 92-500 FOR SEWAGE TREATMENT PLANT IMPROVEMENTS - CLARIFIER AND MIXING BASIN

WHEREAS, the City of Modesto desires to submit an application for reimbursement under Section 206, P. L. 92-500 for sewage treatment plant improvements, clarifier and mixing basin; and

WHEREAS, the eligible project cost is $470,431 (Project No. WPC-CAL-70); and

WHEREAS, the amount of federal assistance received to date is $120,000.00; and

WHEREAS, the amount of additional federal assistance requested is $115,215.50; and

WHEREAS, the date of construction initiation was July 20, 1960 and the date of completion was August 17, 1961.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes submission of an application to the State Division of Water Quality Control for reimbursement under Section 206, P. L. 92-500 in amount of $115,215.50.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the application on behalf 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 1st day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-845

A RESOLUTION APPROVING APPLICATION TO STATE DIVISION OF WATER QUALITY CONTROL FOR REIMBURSEMENT UNDER SECTION 206, P. L. 92-500 FOR INDUSTRIAL WASTES TREATMENT WORKS ADDITIONS - AERATION FACILITIES

WHEREAS, the City of Modesto desires to submit an application for reimbursement under Section 206, P. L. 92-500 for industrial wastes treatment works additions - aeration facilities; and

WHEREAS, the eligible project cost is $105,858.00, Project No. WPC-CAL-123; and

WHEREAS, the amount of federal assistance received to date is $22,740.00; and

WHEREAS, the amount of additional federal assistance requested is $30,189.00; and

WHEREAS, the date of construction initiation was February 5, 1963 and the date of completion was July 24, 1963.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes submission of an application to the State Division of Water Qaulity Control for reimbursement under Section 206, P. L. 92-500 in amount of $30,189.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the application on behalf 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 1st day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-846

A RESOLUTION ACCEPTING IMPROVEMENTS IN APPLEGATE NO. 4 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Brown and Kauffman, Inc. a corporation, subdividers of Applegate No. 4 Subdivision, has filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $92,800 and $46,400 respectively to guarantee improvements in Applegate No. 4 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated September 25, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Applegate No. 4 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $92,800 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $46,400 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 1st day of October, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-847

A RESOLUTION ACCEPTING IMPROVEMENTS IN OLD ORCHARD NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS.

WHEREAS, Norman J. Winsor and Lola Jean Winsor, husband and wife, and J. C. Bearden and Dorothy Bearden, husband and wife, individuals, subdividers of Old Orchard No. 1 Subdivision, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $79,900 and $39,950 respectively to guarantee improvements in Old Orchard No. 1 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated September 25, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Old Orchard No. 1 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $79,900 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $39,950 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 1st day of October, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-848

A RESOLUTION ACCEPTING IMPROVEMENTS IN RIEDEL ESTATES NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, C. A. Tallent and Maxine Tallent, husband and wife, and James A. Morrison III, individuals, subdividers of Riedel Estates No. 2 Subdivision, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $63,400 and $31,700 respectively to guarantee improvements in Riedel Estates No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated September 26, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Riedel Estates No. 2 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $63,400 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $31,700 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 1st day of October, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 849

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan was adopted by Resolution No. 67-66 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 by resolution of the City Council,

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

SECTION 1. The Position Classification Plan of the City of Modesto is hereby amended to abolish certain classes of positions and create new classifications as follows:

CLASSIFICATIONS ABOLISHED	CLASSIFICATIONS CREATED
Administrative Assistant	Communications Dispatcher
Assistant Poundmaster	Community Development and Human Affairs Coordinator/Assistant to City Manager
Assistant to City Manager/Personnel Officer	Personnel Officer
Community Development and Human Affairs Coordinator	Recreation Supervisor
Parking Meter Service and Repairman	Stores Supervisor
Poundmaster	
Radio-Telephone Operator	
Recreation Supervisor I	
Stores and Equipment Supervisor	

SECTION 2. The specifications for the classifications created, as shown on the attached Exhibit "A", Exhibit "B", Exhibit "C", Exhibit "D" and Exhibit "E" which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

(SEAL)

ATTEST: W. T. Chynowth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

COMMUNICATIONS DISPATCHER

Definition

Under supervision, to operate various communications equipment; to dispatch public safety and general City government equipment and personnel; and to do related work as required.

Typical Tasks

Receives calls for assistance by telephone and alarm systems, and dispatches appropriate police and fire units by radio-telephone; dispatches and receives all radio transmissions for police, fire, and general City government; maintains radio and telephone communications with office of the Sheriff; operates switchboard and refers incoming City calls as is appropriate; performs varied clerical duties such as the typing of messages, operation of a teletypewriter, maintenance of message logs, assistance on reports and records, filing, and answering of inquiries.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade and two years of recent responsible employment dealing with the public.

Desirable Qualifications

Knowledge and appreciation of the purposes and general methods of police and fire work; knowledge of routine clerical operations such as filing, typing, and preparation of accurate reports; skill in the operation of radio-telephone equipment; ability to speak clearly, to use good English, and to spell correctly; ability to follow instructions, to reason clearly, and to think and act quickly in emergencies; ability to analyze situations accurately, and to adopt an effective course of action; ability to work effectively with others.

Exhibit "A"

City of Modesto

1973

COMMUNITY DEVELOPMENT & HUMAN AFFAIRS COORDINATOR/ ASSISTANT TO CITY MANAGER

Definition

Under direction, to handle community human affairs programs, federal and state grant matters, and provide staff assistance in developing and coordinating approved citizen and community relations and development activities; represent the City Manager at meetings and do other related work as required.

Typical Tasks

Collects data regarding sources available from other levels of government for programs and provides this information to appropriate parties; assists in preparing grant applications; acts as liaison with other levels of government to facilitate grant applications; acts as City drug abuse coordinator and works with groups in areas of drug and social concerns; works in youth and human relations activities either as City liaison or staff to encourage involvement and to work towards the recognition and reduction of current social problems; does special assignments for the City Manager.

Employment Standards

Any combination of training and experience equivalent to completion of college and three years experience in public administration or business administration.

Desirable Qualifications

Knowledge of educational and informational techniques; ability to develop and maintain good public relations; knowledge of techniques of research and statistical analysis; ability to communicate effectively both orally and in writing; ability to deal effectively and tactfully with others.

Exhibit "B"

City of Modesto

1973

Definition

Under general direction, to perform administrative and staff functions; to participate in the administration of the city personnel program; to be informed on personnel management plans and actions of city departments and report on such matters to the City Manager; and to do related work as required.

Typical Tasks

Confers with and provides information and advice to the City Manager and departments heads concerning personnel needs, staffing requirements, personnel policies and programs; supervises and assists in recruiting, interviewing and testing applicants; prepares agendas, minutes, and special reports for the Personnel Commission and serves as liaison between the City Manager and the Personnel Commission; assists in administering the classification and pay plan; prepares classification and salary studies for the City Manager; prepares drafts of reports, special studies, memoranda, and letters for the Manager; assists in administration of the City's personnel policies, rules, regulations, and classifications; maintains and revises procedures and records relating to the central personnel function including personnel files, performance evaluation, service awards, safety programs, and suggestion system; counsels employees and supervisors on personnel problems; acts as liaison between the City and insurance companies on group insurance.

Employment Standards

Completion of college and three years of experience in technical personnel work.

Desirable Qualifications

Knowledge of the principles and practices of public personnel administration, inlcuding recruitment, classification and pay; knowledge of the principles and practices of public administration; ability to analyze facts and to express ideas clearly and concisely in oral and written communications; ability to supervise; ability to maintain effective working relationships with other officials, employees, employee organizations, and the public.

RECREATION SUPERVISOR

Definition

Under direction, to assist in the development and supervision of municipal recreation programs and other phases of departmental functions as assigned; and to do related work as required.

Typical Tasks

Plans, organizes, coordinates, and supervises approved recreation programs; assists in recruiting and selecting recreation personnel; assigns, trains, supervises, and evaluates the work of recreation personnel; publicizes, supervises, and evaluates program activities; works with citizen groups in an advisory capacity; interprets established policy; assists in preparing the budget and plans expenditures in accordance with the approved budget; maintains records and prepares reports; assists in any other phase of the departmental operation as assigned.

Employment Standards

Graduation from college with specialization in recreation, physical education, or group work, and one year experience in a recreation field.

Desirable Qualifications

Knowledge of principles and techniques of recreational activities for a well-rounded municipal recreation program; knowledge of sports, crafts, dramatics, games, and group activities; ability to coordinate and schedule a variety of activities; ability to prepare reports; ability to deal effectively with the public, and to work cooperatively with others.

Registration with the California Board of Park and Recreation Personnel.

Exhibit "D"

City of Modesto

1973

STORES SUPERVISOR

Definition

Under direction, to be responsible for activities of central stores, equipment dispatch, and corporation yard maintenance, and to do related work as required.

Typical Tasks

Receives work order and shop order requisitions for equipment, materials and tools from field foremen, checks for availability and initiates steps to fill the requisition; maintains records of city equipment and of public works materials and supplies; establishes re-order points on standard stock items and requisitions replacement stock when required; receives and checks replacement stock, enters receipts on records, and places or directs the placement of material in proper storage area; dispatches and keeps use records on automotive and related city equipment; insures that corporation yard and facilities are maintained in prescribed manner; computes, extends, and totals figures from work order requisitions and from time and equipment records; trains and evaluates work of subordinate employees.

Employment Standards

Any combination of training and experience equivalent to completion of two years of college and two years of experience in a stores operation or inventory accounting.

Desirable Qualifications

Knowledge of financial record keeping with special reference to property and equipment; knowledge of storeroom and stock control methods and procedures; knowledge of the requirements for and methods of operating a central equipment pool; ability to estimate future supply needs and to develop procedures assuring adequate stock levels; ability to establish and maintain effective working relationships with other supervisors and city employes; ability to maintain records and to prepare regular and special reports.

Exhibit "E"

City of Modesto

1973

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 850

A RESOLUTION AMENDING EXHIBIT "B" OF RESOLUTION NO. 73-566 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. 73-566. Exhibit "B" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1973-74" attached to Resolution No. 73-566, is hereby amended as shown on the amended Exhibit "B" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1973-74", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "B" adds the positions of Communications Dispatcher, Range 19.5, Community Development and Human Affairs Coordinator/Assistant to City Manager, Range 28.5, Personnel Officer, Range 31.5, Recreation Supervisor, Range 23.5, and Stores Supervisor, Range 22.5. Said amended Exhibit "B" deletes the positions of Administrative Assistant, Range 26, Assistant Poundmaster, Range 17.5, Assistant to City Manager/Personnel Officer, Range 31.5, Community Development and Human Affairs Coordinator, Range 28.5, Parking Meter Service and Repairman, Range 18.5, Poundmaster, Range 20.5, Radio-Telephone Operator, Range 19.5, Recreation Supervisor I, Range 23.5, and Stores and Equipment Supervisor, Range 22.5.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE 1973-74

(Effective 6-26, amended 7-2-and 10-1-73)

Classification Title	Range No.
Account Clerk	14.5
Account Clerk, Senior	18.5
Accountant	26
Accountant, Junior	22.5
Accountant, Senior	29
Airport Manager	27.5
Animal Control Officer	18.5
Assistant City Attorney	34
Assistant City Clerk	20.5
Assistant Dir. of Public Works	35
Assistant Fire Chief	31.9
Assistant Planner	26
Associate Civil Engineer	32
Associate Planner	29
Battalion Chief	28.9
Building Inspector	25
Building Inspector, Senior	27
Building Maintenance Foreman	22
Chief Building Official	32
Chief Electrician	27
Chief of Police	36.7
City Attorney	N/A
City Clerk and Auditor	30.5
City Manager	N/A
Civil Engineering Assistant	28
Clerk, Intermediate	13
Clerk, Junior	10
Communications Dispatcher	19.5
Community Development and Human Affairs Coordinator/ Assistant to City Manager	28.5
Construction Inspector	25
Data Processing Supervisor	22.5
Deputy City Manager	39.5
Director of Finance	35.8
Director of Parking & Traffic	36
Director of Parks & Recreation	35.8
Director of Planning	36
Director of Public Works and City Engineer	39.5
Electrician	23.5
Electrician Leadman	24.5
Engineering Aide	20.5
Engineering Aide, Junior	17.5
Engineering Aide, Principal	26
Engineering Aide, Senior	23.5
Equipment Mechanic	21.5
Equipment Mechanic, Senior	22.5
Equipment Serviceman	18.5
Fire Chief	35.7
Fire Engineer	23.9
Fire Lieutenant	25.9
Fireman	22.9
Heavy Equipment Operator	20.5
Janitor	14.5
Junior Civil Engineer	26
Key Punch Operator	13
Laboratory Technician	20.5
Laborer	16.5
Museum Supervisor	23.5
Office Machine Operator	16
Office Machine Supervisor	19
Parks & Recreation Foreman	25
Parks & Recreation Leadman	22
Parks & Recreation Supt.	28.5
Parks Maintenance Man	18.5
Parks Maintenance Mechanic	19.5
Personnel Officer	31.5
Planning Aide	20.5
Planning Aide, Junior	17.5
Planning Aide, Senior	23.5
Police Captain	32.7
Police Lieutenant	29.7
Police Property Clerk	17.5
Police Records Supervisor	25

Exhibit "B"

Classification Title	Range No.
Police Sergeant	27.7
Police Services Clerk	18.5
Policeman	24.7
Policewoman	24.7
Property Agent	27
Public Works Foreman	25
Public Works Leadman	22
Public Works Maintenance Man	18.5
Public Works Maint. Mechanic	19.5
Public Works Maintenance Supt.	27
Purchasing Officer	27.5
Recreation Supervisor	23.5
Secretary	18.5
Secretary to City Attorney	20.5
Secretary to City Manager	21.5
Senior Planner	32
Shop Foreman	25
Stenographer Clerk, Inter.	14.5
Stenographer Clerk, Junior	11
Stores and Equipment Clerk	19.5
Stores Supervisor	22.5
Supervisor of General Services	23.5
Telephone Operator-Receptionist	13
Traffic Painter	20.5
Tree Trimmer	20.5
Tree Trimmer Aide	19.5
Typist Clerk, Intermediate	13
Typist Clerk, Junior	10
Water Quality Control Foreman	25
Water Quality Control Oper. I	18.5
Water Quality Control Oper. II	21.5
Water Quality Control Supt.	29
Zoning Inspector	25

Total number of classifications in City Service - 105

MODESTO CITY COUNCIL
RESOLUTION NO. 73-851

A RESOLUTION APPROVING THE FINAL MAP OF THE APPLEGATE NO. 5 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Brown and Kauffmann, Inc., a corporation,

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 8.825 acres, known as the APPLEGATE NO. 5 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 18th day of July, 19 72, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said APPLEGATE NO. 5 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 of the APPLEGATE NO. 5 Subdivision 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 in the amount of One Thousand, Nine Hundred Eighty-Six and 45/100ths ($1,986.45) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 1st day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-852

AMENDMENT TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND CUSHMAN MOTOR SALES, INC. STATING THAT THE FULL AMOUNT COLLECTED FOR THE USE OF THE EXTRA TOURNAMENT CARS BE PAID TO CUSHMAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to/agreement between the City of Modesto and Cushman Motor Sales, Inc.

~~for~~ stating that the full amount collected for the use of the extra tournament cars be paid to Cushman

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 1st day of October, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Mensinger was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-853

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPLACEMENT OF SEWER LINES IN CHABOT CT. AND JOHN MUIR CT.

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

SECTION 1. The plans and specifications for REPLACEMENT OF sewer lines in Chabot Ct. and John Muir Ct.
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 23, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-854

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR INSTALLATION OF WATER-LINES IN SYLVAN MEADOWS

WHEREAS, Resolution No. 73-794 , adopted by the Council of the City of Modesto on September 17, 1973 , approved the plans and specifications for the installation of waterlines in Sylvan Meadows

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in Sylvan Meadows

were opened at 10:10 A.M. on October 2, 1973 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 Joe Martin in the amount of $16,854.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $16,854.00

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 9th day of October, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-855

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR CONSTRUCTION OF LIGHTING, SIDEWALKS AND PARKING LOTS AT DAVIS PARK AND DOWNEY PARK AND STREET IMPROVEMENTS ON CRESTVIEW DRIVE AND KRUGER DRIVE ADJACENT TO DOWNEY PARK

WHEREAS, Resolution No. 73-784 , adopted by the Council of the City of Modesto on September 11, 1973 , approved the plans and specifications for the construction of lighting, sidewalks and parking lots at Davis Park and Downey Park and street improvements on Crestview Drive and Kruger Drive adjacent to Downey Park and authorized the calling for bids, and

WHEREAS, the bids received for the construction of lighting, sidewalks and parking lots at Davis Park and Downey Park and Street improvements on Crestview Drive and Kruger Drive adjacent to Downey Park were opened at 10:00 A.M. on October 2, 1973 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 The Flintkote Company in the amount of $117,031.20

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Flintkote Company in the amount of $117,031.20

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 9th day of October, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-856

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(117).

WHEREAS, a verified application for an amendment to Section 15-3-9 of the Zoning Map was filed by Harley D. Brannan on June 18, 1973, to reclassify from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in portion of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

BEGINNING at the Northeast corner of Coffee Plaza No. 4 according to the official map thereof, filed in Volume 23 of Maps at Page 36, Stanislaus County Records; thence along the South line of the Sylvan School property North 89° 36' 50" East 500.00 feet; thence South 0° 58' 25" East 659.90 feet to the centerline of Floyd Avenue; thence along said centerline South 89° 38' 35" West 465.00 feet to the Southerly extension of the East line of Parcel 1 of Book 17 of Parcel Maps at Page 12, Stanislaus County Records; thence along said Southerly extension and said East line of Parcel 1 North 0° 58' 25" West 439.84 feet; thence along the north line of said Parcel 1 South 89° 38' 35" West 35.00 feet to the East line of said Coffee Plaza No. 4; thence along said East line of Coffee Plaza No. 4 North 0° 58' 25" West 219.81 feet to the point of beginning.

CONTAINING: 7.22 acres.

WHEREAS, after public hearing held on August 21, 1973, and continued to September 4, 1973, 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 density of development is in conformance with the Coffee-Sylvan Neighborhood Zoning and Development Policy.

2. The proposed one-story apartments would be a suitable transition between H-1 property to the west and R-1 property to the east along Floyd Avenue.

WHEREAS, after a public hearing held on October 9, 19 73, the Council found and determined that the application of Harley D. Brannan 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. 1294-C.S. on the 9th day of October, 19 73, reclassifying the above-described property from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D (117),

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 (117), is hereby approved in accordance with the plan titled "96-Unit Apartment Complex" dated September 4, 1973, as amended in red on its face, which said plan is on file in the office of the Planning Director, subject to the following conditions:

1. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for review and approval by the Directors of Parks and Recreation and Planning, and the Planning Commission. Irrigation shall be by underground sprinkler system.

2. That all parking and driveway areas be improved in accordance with provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.

3. That the development shall be connected to the City water and sanitary sewer facilities in accordance with the requirements of the Director of Public Works.

4. That the entire development be served with storm drainage facilities in accordance with the requirements of the Director of Public Works.

5. That all uilities shall be underground including TV reception facilities. No antennas shall be permitted.

6. That any signs within the entire P-D Zone shall comply with the R-2 Zone sign provisions.

7. That all landscaping, fences, and walls be maintained and that the premises be kept free of weeds, trash, and other debris.

8. That prior to the issuance of a building permit, the developer will submit to the Fire Chief and Director of Public Works, for their approval, a plan showing the proposed location of three on-site fire hydrants.

9. That the developer shall construct street improvements on Floyd Avenue to City collector street standards.

10. That prior to the issuance of a building permit the developer shall pay the City of Modesto the cost of planting eleven (11) street trees.

11. That all public improvements, including fire hydrants, shall be installed prior to occupancy of the premises or by July 1, 1976, whichever occurs first.

12. Prior to the issuance of a building permit, if all required public improvements have not been installed, a cash deposit, savings and loan certificate, surety bond or other instrument of credit in an amount to be determined by the City Engineer shall be filed with the City Clerk to guarantee installation of public improvements, including fire hydrants, by July 1, 1976, or prior to occupancy, whichever occurs first.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(117):

> That the entire construction program be accomplished in one phase with construction to begin on or before July 1, 1975, and be completed not later than July 1, 1976.

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 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 (117) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 19 73, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Brisbois
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-857

A RESOLUTION DENYING AN APPEAL AND AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING AN APPLICATION FOR AN AMENDMENT TO AN EXISTING H-1 USE PERMIT. (A & L INVESTMENT COMPANY - WINDJAMMER)

WHEREAS, on July 2, 1968, by Resolution No. 68-86, the Planning Commission of the City of Modesto granted an H-1 Use Permit to Skaggs Payless Drug Stores for a super drug store and adjoining retail stores on the westerly side of McHenry Avenue between Bowen Avenue and Leveland Lane, and

WHEREAS, Condition No. 7 of said Resolution No. 68-86 specified "That the drug store be permitted to be open to the public only between the hours of 7 o'clock a.m. and 10 o'clock p.m. each day, seven (7) days a week", and

WHEREAS, on August 6, 1968, by Resolution No. 68-101, the Planning Commission amended Condition No. 7 of said Planning Commission Resolution No. 68-86 to clarify its original intention and to specify that the 7 o'clock a.m. to 10 o'clock p.m. operating hours limitation also applied to all adjoining retail stores located within the area of said H-1 Use Permit, and

WHEREAS, it was brought to the attention of the City staff that two businesses located within the area of said H-1 Use Permit, the Windjammer Bar located at 2221 McHenry Avenue, Modesto, California, and the Foxy Lady Massage Parlor, located at 2221 McHenry Avenue, Modesto, California, were remaining open to the public past 10 o'clock p.m., and

WHEREAS, on May 7, 1973, A & L Investment Company, owners of that portion of the area of said H-1 Use Permit where said two businesses are located, made application for an amendment to said H-1 Use Permit to extend the hours of operation of said two businesses until 2 o'clock a.m. and to extend until 11 o'clock p.m. the hours of operation of other businesses located at 2221 McHenry Avenue, Modesto, California, in the portion of the area of said H-1 Use Permit owned by A & L Investment Company, and

WHEREAS, a public hearing was held on May 24, 1973, by the Board of Zoning Adjustment regarding said application, and

WHEREAS, by Resolution No. 477 adopted on May 24, 1973, the Board of Zoning Adjustment found and determined that the requested amendment to said H-1 Use Permit was not required by public necessity, convenience and general welfare for the following reasons:

1. The subject businesses are in close proximity to an existing residential area with which compatibility must be maintained.

2. There has been no demonstrated change in the character of the area which would warrant a change in operating hours as originally established, and

WHEREAS, by said Resolution No. 477 the Board of Zoning Adjustment denied the application of A & L Investment Company for an amendment to the existing H-1 Use Permit granted by Planning Commission Resolution No. 68-86, as amended by Planning Commission Resolution No. 68-101, to extend the hours of operation of businesses located in the portion of the area of said H-1 Use Permit owned by A & L Investment Company, and

WHEREAS, by a letter dated June 4, 1973, an appeal from the denial of said application by the Board of Zoning Adjustment was filed with the City Council on behalf of the A & L Investment Company, and

WHEREAS, a public hearing was held by the City Council on said appeal on August 13, 1973, at 7:35 o'clock p.m. in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, the City Council further considered said appeal on September 17, 1973, and determined that it desired to hold a further public hearing on said appeal, and

WHEREAS, a further public hearing was held by the City Council on said appeal on October 9, 1973, at 7:30 o'clock p.m. in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that based upon the evidence, both oral and documentary, presented at said public hearings, it finds and determines that an amendment to the

existing H-1 Use Permit to extend the operating hours of the businesses known as the Windjammer and the Foxy Lady Massage Parlor located at 2221 McHenry Avenue, Modesto, California, until 2 o'clock a.m. and to extend the operating hours of other businesses located at 2221 McHenry Avenue, Modesto, California, until 11 o'clock p.m. is not required by public necessity, convenience and general welfare because:

(a) The subject businesses are in close proximity to an existing residential area with which compatibility must be maintained; and

(b) There has been no demonstrated change or circumstances which would warrant a change in operating hours as originally established.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the appeal from the decision of the Board of Zoning Adjustment denying the application of A & L Investment Company for an amendment to the existing H-1 Use Permit granted by Planning Commission Resolution No. 68-86, as amended by Planning Commission Resolution No. 68-101, to extend the hours of operation of businesses located in the portion of the area of said H-1 Use Permit owned by A & L Investment Company is hereby denied and the decision of the Board of Zoning Adjustment is affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-858

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE BOARD OF EQUALIZATION FOR ADMINISTRATION OF LOCAL SALES AND USE TAXES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and State Board of Equalization

for administration of local sales and use taxes

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 October 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-859

A RESOLUTION ACCEPTING IMPROVEMENTS IN NORTHRIDGE NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Tempo Homes, Inc. a corporation, subdividers of Northridge No. 1 Subdivision, has filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $130,200 and $65,100 respectively to guarantee improvements in Northridge No. 1 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated October 2, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Northridge No. 1 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $130,200 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $65,100 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 9th day of October, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-860

RESOLUTION APPROVING REQUEST OF M. E. GROVER TO HARVEST OLIVES ON TREES LOCATED IN MELLIS PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the request of M. E. Grover, 2501 East Hatch Road, Modesto, California to harvest the olive crop on trees located in Mellis Park.

BE IT FURTHER RESOLVED that Mr. Grover will pay the City of Modesto $250.00 for the olive crop.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1973 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-861

A RESOLUTION APPROVING ~~PLANS AND~~ SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SALE OF PROPERTY LOCATED ON BODEM AVENUE, SOUTH OF LUCERNE AVENUE

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

SECTION 1. The ~~plans and~~ specifications for sale of property on Bodem Avenue, south of Lucerne

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 5, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-862

A RESOLUTION ACCEPTING THE BID OF TEICHERT CONSTRUCTION FOR IMPROVEMENT OF MORRIS AVENUE AND VIRGINIA AVENUE AT M.I.D. LATERAL NO. 4

WHEREAS, Resolution No. 73-739 , adopted by the Council of the City of Modesto on August 27, 1973 , approved the plans and specifications for the improvement of Morris Avenue and Virginia Avenue at Modesto Irrigation District Lateral No. 4
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of the improvement of Morris Avenue and Virginia Avenue at M.I.D. LAteral No. 4
were opened at 10:00 A.M., September 25, 1973 and later tabulated by the Public Works Director for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Teichert Construction in amount of $86,635

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Teichert Construction in amount of $86,635

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 15th day of October, 1973 19____, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-863

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATER LINES IN OLD ORCHARD NO. 2 SUBDIVISION

WHEREAS, Resolution No. 73-813 , adopted by the Council of the City of Modesto on September 24, 1973 , approved the plans and specifications for the installation of water lines in Old Orchard No. 2 subdivision
and authorized the calling for bids, and

WHEREAS, the bids received for the installation of water lines in Old Orchard No. 2 subdivision
were opened at 10:10 A.M. October 9, 1973 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 Valley Construction in amount of $3,898.25

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Valley Construction in amount of $3,898.25

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 15th day of October, 1973 19____, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-864

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATER LINES IN BOWEN AVENUE

WHEREAS, Resolution No. 73-811 , adopted by the Council of the City of Modesto on September 24, 1973 , approved the plans and specifications for the installation of waterlines in Bowen Avenue

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of water lines in Bowen Avenue

were opened at 10:00 A.M. October 9, 1973 and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Pablic Works has recommended that the bid of Valley Construction in amount of $3,468

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 Construction in amount of $3,468

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 October, 1973 19____, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-865

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR PAVING OVERLAY AT BEARD BROOK PARK

WHEREAS, Resolution No. 73-812 , adopted by the Council of the City of Modesto on October 9, 1973 , approved the plans and specifications for the paving of overlay at Beard Brook Park

and authorized the calling for bids, and

WHEREAS, the bids received for the paving of overlay at Beard Brook Park
were opened at 10:15 A.M. October 9, 1973 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 George Reed, Inc. in amount of $5,840

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in amount of $5,840

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 15th day of October 19 73 , by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilmanm Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-866

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(116). (ALTAMONT BUILDERS)

WHEREAS, a verified application for an amendment to Section 16-3-9 of the Zoning Map was filed by Altamont Builders on August 2, 19 73, to prezone to Planned Development Zone, P-PD, the following described property:

All that portion of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the point of intersection of the centerline of Norwegian Avenue with the centerline of Sunrise Avenue; thence Westerly along the centerline of Norwegian to the point of intersection with the centerline of Eldena Way; thence Southerly along the centerline of Eldena Way and the Southerly extension thereof to the point of intersection of the North line of Briggsmore Avenue; thence Southeasterly along the North line of Briggsmore Avenue to the point of intersection with the centerline of Sunrise Avenue; thence Northerly along the centerline of Sunrise to the point of intersection with the centerline of Norwegian Avenue, being the point of beginning,

WHEREAS, after public hearing held on September 18, 19 73, it was found and determined by the Planning Commission that prezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The subject property fronts on collector streets, allowing easy access to service centers via the Briggsmore Expressway.

2. The requested P-D Zone would be in accordance with the planning policy for locating low to medium density multiple-family residential zoning as established by the City Planning Commission.

3. The subject property, under a P-D Zone, would allow a good neighborhood mix and transition to adjoining R-1 zoning as called for

in the General Plan.

WHEREAS, after a public hearing held on October 15, 19 73, the Council found and determined that the application of Altamont Builders 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. 1298-C.S. on the 15th day of October, 1973, prezoning the above-described property to Planned Development Zone, P-PD(116).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(116), is hereby approved in accordance with the plan titled "Modesto Condominium Site Plan," as amended in red on its face, stamped approved by the Planning Commission on September 18, 1973, and on file in the office of the Planning Director, subject to the following conditions:

1. That all development be in accordance with the plans referred to above.

2. That all parking and driveway areas be improved in accordance with the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.

3. That prior to the issuance of a building permit, the developer shall make the following street dedications:

a) Dedicate 30 feet of right-of-way for the widening of Eldena Way plus a 40-foot radius cul-de-sac at the south end in accordance with the specifications of the Director of Public Works.

b) Dedication of 10 feet of right-of-way along the Sunrise Avenue and Norwegian Avenue frontages.

4. That prior to the issuance of a building permit, the developer shall submit street improvement plans prepared by a registered Civil Engineer for approval by the City Engineer.

5. That the developer shall provide all street improvements as follows:

a) Eldena Way - full street improvements including concrete sidewalk and street lights.

b) The Sunrise and Norwegian Avenue frontages shall be improved to City standards, including matching pavement, curb, gutter, concrete sidewalk, street lights, and drainage facilities.

6. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Director of Planning and the Director of Parks and Recreation. The landscaping and irrigation systems shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system.

7. That all landscaping, fences, and walls be maintained and that the premises be kept free of weeds, trash, and other debris.

8. That the development shall be connected to City water and sanitary sewer facilities in accordance with the requirements of the Director of Public Works.

9. That prior to the issuance of a building permit, the developer shall submit a plan of all fire hydrants and the pipeline system therefor for approval by the Fire Chief. The developer shall install at least 2 fire hydrants and the pipeline system as required by the Fire Chief.

10. That any sign accessory to this development shall comply with the R-2 Zone sign provisions.

11. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting 62 street trees.

12. That the applicant shall construct a 6-foot high solid decorative masonry wall along the entire Briggsmore Expressway frontage of the property. That the patio walls or fences facing the public streets shall be no closer than 10 feet to the property lines and shall be allowed to extend to a maximum of 6-feet in height.

13. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

14. That prior to the issuance of a building permit for any development, the developer shall submit evidence satisfactory to the City Attorney, that there has been created a Homeowners Association to guarantee common areas improvement and maintenance in accordance with the approved plans.

15. That building plans for the townhouses shall indicate a standard detail for adequate storage for garbage and garden refuse. Said storage areas shall be screened from view of any public street. Said plan and screening shall be subject to the approval by the Planning Director.

16. That prior to the issuance of a building permit, the applicant shall submit for approval by the Planning Director, 4 copies of a revised plot plan showing all the required changes and adjustments in design and the limitations set on the development as shown on the plot plan as amended in red and on file in the office of the Planning Director.

17. That all public improvements, including fire hydrants, shall be installed prior to occupancy of the premises or by November 1, 1975, whichever occurs first.

18. That prior to the issuance of a building permit, if all required public improvements have not been installed, a cash deposit, savings and loan certificate, surety bond or other instrument of credit in an amount to be determined by the City Engineer shall be filed with the City Clerk to guarantee installation of public improvements, including fire hydrants, by November 1, 1975, or prior to occupancy, whichever occurs first.

19. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code. If the subdivision is to be accomplished in stages, the first stage shall include construction of all peripheral public improvements including street improvements, fire hydrants, and the entire solid 6 foot decorative masonry wall along Briggsmore Expressway.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(116):

1. That the entire construction program be accomplished in two phases.

2. That Phase I shall include development of the easterly half of the subject property as indicated on the plan, including the recreation building, swimming pool, and all of the peripheral public improvements including fire hydrants and entire masonry wall along Briggsmore, construction to begin on or before November 1, 1974 and to be completed not later than November 1, 1975.

3. That Phase II shall include the remainder of the project, construction to begin on or before November 1, 1975 and to be completed not later than November 1, 1976.

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 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 prezoning the above-described property to Planned Development Zone, P-PD(116) 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 October, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Nichols
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-867
BUS OPERATION CONTRACT

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND KENNY TRANSPORTATION, INC. FOR BUS OPERATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the bus operation contract/agreement between the City of Modesto and Kenny Transportation Company for bus operation within 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 15th day of October 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
NOES:	Councilmen:	Simon
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-868

A RESOLUTION ACCEPTING IMPROVEMENTS IN ARINGTON MANOR SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Stewart and Jasper Poultry Ranch, a corporation, and Weeks Real Estate, a corporation, subdividers of Arington Manor Subdivision, have filed instruments of credit for faithful performance and labor and materials to guarantee improvements in Arington Manor Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated October 9, 1973 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 record a notice of completion and to release the bonds upon expiration of the statutory lien periods.

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

1. The improvements of Arington Manor Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in amount of $124,900 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $62,450 upon expiration of the six-months statutory lien period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 1973 by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, Was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-869

A RESOLUTION ACCEPTING IMPROVEMENTS IN KINGSWOOD ESTATES NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Stewart and Jasper Poultry Ranch, a corporation, and Weeks Real Estate, a corporation, have filed subdivision improvement bonds for faithful performance and labor and materials in the amounts of $72,600 and $36,300 respectively, to guarantee improvements in Kingswood Estates No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated October 9, 1973 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 record a notice of completion and to release the instruments of credit upon expiration of the statutory lien periods.

NOW, THEREFORE, BE IT RESOLVED BY THE Council of the City of MODESTO:

1. The improvements of Kingswood Estates No. 2 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the instrument of credit for faithful performance in amount of $72,600 upon recordation of the notice of completion.

3. The City Clerk is hereby authorized to release the instrument of credit for labor and materials in the amount of $36,300 upon expiration of the six-months statutory lien period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 1973 by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-870

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LAWRENCE McCLURE AND IDA McCLURE--PROPERTY ACQUISITION FOR DRY CREEK PARK, AND ACCEPTING GRANT DEED

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lawrence McClure and Ida McClure

for acquisition of property 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, and the grant deed accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-871

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CYNTHIA KAISER ROBERTS AND KENT H. KAISER FOR CONSTRUCTION OF SANITARY SEWER ON COFFEE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Cynthia Kaiser Roberts and Kent H. Kaiser for construction of a sanitary sewer on Coffee Road to serve a development on the west side of Coffee Road north of East Coolidge Ave., 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 October 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-872

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA STATE LANDS COMMISSION FOR PERMIT FOR THE NON-EXCLUSIVE USE OF CERTAIN LAND DESCRIBED IN SECTION 3 OF AGREEMENT FOR INSTALLATION OF CONCRETE SEWER PIPE CROSSING THE TUOLUMNE RIVER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and State of California, State Lands Commission, for permit for the non-exclusive xfxx use of certain land described in Section 3 of agreement for installation of concrete sewer pipe crossing the Tuolumne River, 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 October 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-873

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SAVINGS ACCOUNT WITH STOCKTON SAVINGS AND LOAN ASSOCIATION FOR THE CITY OF MODESTO'S DEFERRED COMPENSATION PLAN.

WHEREAS, Resolution No. 72-800 adopted by the Council of the City of Modesto on June 26, 1972, established a Deferred Compensation Plan for the employees of the City of Modesto, and

WHEREAS, the Deferred Compensation Agreements entered into by and between the City of Modesto and some of its employees who have elected to participate in the Plan provide for the monies deferred by said employees to be invested in a savings account to be established with a savings and loan association and

WHEREAS, it is deemed desirable to establish such a savings account with Stockton Savings and Loan Association,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the establishment of a savings account with Stockton Savings and Loan Association for the investment of monies deferred by employees pursuant to the City of Modesto's Deferred Compensation Plan and as authorized by Section 53609 of the Government Code of the State of California.

BE IT FURTHER RESOLVED that said savings account may consist of a series of accounts in which the total amount deposited in said series of accounts does not exceed the amount insured by the Federal Savings and Loan Insurance Corporation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynowth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-874

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DUANE D. STONE FOR ARCHITECTURAL SERVICES FOR FIRE TRAINING CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Duane D. Stone

for architectural services for fire training 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 15th day of October 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-875

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR CITY HALL BUILDINGS, GROUNDS, AND OFF-STREET PARKING, A MUNICIPAL PURPOSE.

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience and necessity require the acquisition of certain real property to be used for City Hall buildings, grounds, and off-street parking.

The use of said real property for City Hall buildings, grounds, and off-street parking is a municipal purpose and is a public use authorized by law.

The proposed acquisition is planned in a manner which will be most compatible with the greatest public good and the least private injury.

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be 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 the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, and in the Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as 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 October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:
Public Works Department

Lot 17 in Block 69 of the CITY OF MODESTO, as per map filed December 21, 1942, in Vol. 15 of Maps, Stanislaus County Records.

ALSO all that portion of Lot 18 in said Block 69, described as follows:

COMMENCING at the alley running through said Block 69 of the City of Modesto, at the line between Lots 17 and 18; running thence Northwest five feet along said alley; thence at right angles and parallel with the dividing line between said lots, Southwest 65 feet; thence at right angles Southeasterly four feet; thence at right angles Southwesterly five feet; thence at right angles Southeasterly one foot to the line between Lots 17 and 18; thence at right angles Northeasterly along said line, 70 feet, more or less, to the point of beginning.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-876

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 9-3-9 OF THE ZONING MAP (WARREN LEE AND AVANEL HARRIS)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 2, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 9-3-9 of the zoning map to reclassify from One-Family Residential Zone, R-1, to Highway Frontage Zone, H-1 the following described property:

> Parcel 1 as shown on that certain parcel map filed January 28, 1972 in Book 13 of parcel maps, at page 66, Stanislaus County Records, being a portion of the northwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian,

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-112 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 9-3-9 of the Zoning Map be set for Monday, November 5, 1973, 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 1973, by Councilmen Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-877

A RESOLUTION ANNEXING UNINHABITED TERRITORY KNOWN AS THE FINCH NO. 1 ADDITION TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on September 28, 1973, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Finch No. 1 Addition,

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

That the annexation of said uninhabited territory designated as Finch No. 1 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto

be and the same is hereby approved and said property be and the same is hereby subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved, is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Public Works Department

RAW 10-15-73

August 1, 1973

FINCH NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 35, Township 3 South, Range 9 East, and the Northeast quarter of Section 2, Township 4 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 line of the AIRPORT NO. 2 ADDITION (217), as per description filed July 12, 1968, as Instrument 21316, Stanislaus County Records, said point being the intersection of the Southwestern line of a 100.00 foot public road known as East Modesto Road and the section line common to said Sections 2 and 35; thence along said Southwestern line of East Modesto Road, North 55° 55' 00" West, 62.77 feet, to its intersection with the Westerly prolongation of the center line of a 70.00 foot public road known as Finch Road; thence along said center line of Finch Road and its Westerly prolongation, South 89° 48' 12" East, 1109.53 feet; thence South 1° 03' 38" East, 573.09 feet, to a point on the Northeastern line of a 200.00 foot public road known as East Modesto Road; thence South 34° 05' 00" West, 200.00 feet, to the Southwestern line of said East Modesto Road and a point on a Northeastern line of said Addition (217); thence along the existing City Limits on said Northeastern line of Addition (217), North 55° 55' 00" West, 1262.62 feet, to a point on said section line common to Sections 2 and 35; thence along the section line common to Sections 2 and 35, South 89° 48' 12" East, 89.68 feet, to the point of beginning, containing 10.857 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-878

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $200,000 FOR WATER LINE EXPANSIONS

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$200,000
TO:	Water line extension (6804-50-101)	$200,000

(Water line construction in new subdivisions has exeeeded the original budget by $163,000. Additional funds are required to meet expansion requirements)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October 19 73 , by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-879

A RESOLUTION REAPPOINTING MEMBERS TO THE FARM-CITY ADVISORY COMMITTEE

BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the reappointment of the following persons to the Farm-City Advisory Committee for the terms as indicated:

Joe Hart
2619 Maze Boulevard
Modesto, CA
529-8653

For a term expiring May 1, 1977

John C. DeBoer
6224 Stoddard Road

Modesto, CA
545-0654

For a term expiring May 1, 1977

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 1973 by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-880

A RESOLUTION ACCEPTING THE BID OF KING-KNIGHT COMPANY TO FURNISH ONE NEW 60 KW NATURAL GAS-POWERED EMERGENCY GENERATOR FOR FIRE STATION NO. 5

WHEREAS, Resolution No. 73-816 , adopted by the Council of the City of Modesto on September 24, 1973 , approved the plans and specifications for the furnishing of one new 60 KW natural gas-powered emergency generator for Fire Station No. 5
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one new 60 KW natural gas-powered emergency generator for Fire Station No. 5
were opened at 2:00 P.M. on October 16, 1973 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 King-Knight Company in the amount of $7,439.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of King-Knight Company in the amount of $7,439.00

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 an adjourned regular meeting of the Council of the City of Modesto held on the 25thday of October 19 73 , by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-881

A RESOLUTION ACCEPTING MOTOR COACH FROM GENERAL MOTROS CORPORATION

WHEREAS, pursuant to an agreement dated April 3, 1973 between the City of Modesto and General Motors Corporation, GMC Truck and Coach Division, said corporation delivered one 31-35 passenger Transit-Type Diesel Motor Coach, Air Conditioned, to the City of Modesto, and

WHEREAS, the Director of Parking and Traffic has reported that said Motor Coach meets specifications.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the 31-35 passenger Transit-Type Diesel Motor Coach delivered by General Motors Corporation be, and hereby is, accepted and payment for said Motor Coach is authorized.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 25th day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton,

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-882

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR THE IMPROVEMENT OF "G" STREET FROM FIRST STREET TO SIXTEENTH STREET

WHEREAS, Resolution No. 73-715 , adopted by the Council of the City of Modesto on August 20, 1973 , approved the plans and specifications for the Improvement of "G" Street from First to Sixteenth Street
and authorized the calling for bids, and

WHEREAS, the bids received for the Improvement of "G" Street from First Street to Sixteenth Street
were opened at 10:00 A.M. on September 18, 1973 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 George Reed, Inc. in the amount of $94,665.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $94,665.00

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~~ adjourned regular meeting of the Council of the City of Modesto held on the 25th day of October, 19 73 , by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-883

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. (ORANGEBURG-EASTRIDGE ADDITION)

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 4, 1973, duly adopted Resolution No. 73-769 (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. 111 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 23, 1973, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was continued to Thursday, October 25, 1973, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time and place 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. 111 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. 111 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. 111, 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. 111, 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 an adjourned regular meeting of the Council of the City of Modesto held on the 25th day of October, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Mengnall
Public Works Department

JCC
9-7-73

June 18, 1973

Revised July 24, 1973
as per Local Agency
Formation Committee

ORANGEBURG-EASTRIDGE ADDITION

All that real property in the State of California, County of Stanislaus, in the Northeast quarter of Section 23, 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 Northern line of the LAKEWOOD NO. 1 ADDITION (292), as per description filed June 9, 1972, as Instrument 23377, Stanislaus County Records, said point being the Southeastern corner of the Western half of Lot 7 of the O. McHENRY RANCH Subdivision, as per map filed February 14, 1905, in Volume 2 of Maps, Page 7, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue; thence along the existing City Limits on said Northern line of Addition (292) and said center line of East Orangeburg Avenue, North 89°27'15" West, 1214.04 feet; thence North 00°15'15" West, 455.60 feet; thence North 89°27'15" West, 100.00 feet, to a point on the Western line of the Eastern half of Lot 6 of said O. McHENRY RANCH Subdivision; thence along said Western line of the Eastern half of Lot 6, North 00°15'15" West, 778.99 feet, to a point on the center line of a public road known as East Briggsmore Avenue; thence along said center line of East Briggsmore Avenue, South 82°15'45" East, 222.06 feet; thence continuing along the center line of East Briggsmore Avenue on a tangent curve concave to the North, having a Radius of 1200.00 feet, a Central Angle of 7°25'35" and an Arc Length of 155.54 feet; thence continuing along the center line of East Briggsmore Avenue on a tangent line, South 89°41'20" East, 939.29 feet, to a point on the Eastern line of said Western half of Lot 7 of the O. McHENRY RANCH Subdivision; thence along said Eastern line of the Western half of Lot 7, South 00°14'35" East, 1201.20 feet, to the point of beginning, containing 35.244 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 25, 1973, 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 Councilman Dunlap, seconded by Councilman Simon, and adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

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 26, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH,

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-884

A RESOLUTION GRANTING A SIX (6) MONTHS' TIME EXTENSION TO THE DEVELOPMENT SCHEDULE FOR P-D(53) AND AMENDING RESOLUTION NO. 68-1148 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED-DEVELOPMENT ZONE, (P-PD(53). (HAIG BERBERIAN PREZONING - COMMERCIAL SHOPPING CENTER)"

WHEREAS, this Council, by Ordinance 942-C.S., effective February 5, 1969, prezoned P-D(53) for a 10-acre neighborhood shopping center at the northeast corner of Coffee Road and Sylvan Avenue, and

WHEREAS, City Council Resolution No. 68-1148, adopted December 16, 1968, which contains the conditions of approval, as well as the development schedule, specifies that the entire construction program is to start within five (5) years from the date of annexation and is to be completed not later than nine (9) years from the date of annexation, and

WHEREAS, the subject property was annexed on October 9, 1969, changing prezoned P-PD(53) to P-D(53) and causing the start of construction deadline to be October 9, 1974, and the completion date to be October 9, 1978, and

WHEREAS, on May 1, 1973, the Planning Department received a letter from Ronald V. Stone, stating that Stone Brothers and Associates controlled the P-D(53) property and requested a four (4) year time extension to allow start of construction to be on or before October 9, 1978, and

WHEREAS, on June 19, 1973, by Resolution No. 73-78, the Planning Commission denied the request for a time extension to P-D(53), and

WHEREAS, on August 13, 1973, the Planning Department received a letter from Mid-Valley Engineering, representatives of the property owner, requesting an approximate eighteen (18) month time extension to allow start of construction of P-D(53) to be not later than April 22, 1976, and

WHEREAS, this matter was again considered by the Planning Commission on August 21, 1973, and by Resolution No. 73-76 the Planning Commission found and determined that granting a time extension to the development schedule of P-D(53) was not required by public necessity, convenience, and general welfare for the following reasons:

1. The owner of P-D(53) will have had four (4) years to develop the shopping center since adoption of a three (3) year time limit policy for neighborhood shopping centers by the City Council and Planning Commission.

2. Over thirteen (13) months still remain in which to begin construction under P-D(53).

3. The owner of the parcel will have an opportunity to reapply for a P-D Zone subject to review and application of current conditions if his present time limit expires.

4. The owner of other corner parcels at the same intersection should be given the opportunity to apply for P-D Commercial zoning under the one-corner policy if the subject owner cannot perform within his time limits,

and

WHEREAS, an appeal to the Planning Commission decision denying a time extension to said development schedule has been made to the City Council of the City of Modesto, and

WHEREAS, a public hearing on said appeal was set before the City Council for September 24, 1973, at 7:30 p. m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time said public hearing was continued to October 23, 1973, at 7:30 p. m. , at which time said hearing was further continued to the adjourned regular Council meeting on October 25, 1973, at 4:00 p. m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said adjourned regular Council meeting on October 25, 1973, a public hearing was held 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 it hereby finds and determines that a time extension to the development schedule of P-D(53) of six (6) months should be granted as consonant with public necessity, convenience, and general welfare for the following reasons:

1. P-PD(53) was granted several years ago when the area had not yet developed and before the adoption of the three (3) year time limit policy for neighborhood shopping centers by the Planning Commission and City Council.

2. The collector street pattern in the area has been changed since P-PD(53) was granted necessitating additional time to develop the final design and plot plan for P-D(53).

BE IT FURTHER RESOLVED by the Council of the City of Modesto that Section 2 entitled "Development Schedule", of City Council Resolution No. 68-1148, entitled "A Resolution Approving a Development Plan for Prezoned Planned-Development Zone, P-PD(53). (Haig Berberian Prezoning - Commercial Shopping Center)", be and 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(53):

The entire construction program be accomplished in one phase: construction to begin on or before April 9, 1975, and to be completed not later than October 9, 1978.

Failure of the applicant to comply with any of the conditions set forth within the time prescribed will constitute grounds for denial of the issuance of a building permit to develop or construct any improvements for the use of the subject property."

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 25th day of October, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Kullijian

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-885

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS REGARDING REFINANCING OF LOTS AND RESALE OF LOTS IN MODESTO VERDE MOBILE HOME PARK SUBDIVISION.

WHEREAS, as part of the approval of the Modesto Verde Mobile Home Park Subdivision (P-D 89), which was approved by the City Council in 1971, the City required that the Declaration of Covenants, Conditions and Restrictions placed on the lots therein include a Maintenance Deed of Trust to ensure that the common open spaces in the subdivision were maintained by the Homeowners' Association, and

WHEREAS, under said Maintenance Deed of Trust, the City has the right to compel performance of the maintenance obligations if the Homeowners' Association fails to provide necessary maintenance, and

WHEREAS, in order that the lots in said Modesto Verde Mobile Home Park Subdivision (P-D 89) could be sold and financed, an automatic subordination clause was included whereby the Maintenance Deed of Trust is subordinated to first mortgages given for the purpose of financing acquisition of the lots, and

WHEREAS, the title company handling the sale of the lots in said subdivision has indicated that financial institutions will require a specific subordination agreement in the event of a refinancing of a lot and a request for a reconveyance and a new Maintenance Deed of Trust when a lot therein is resold, and

WHEREAS, the title company has requested that the City Council authorize someone to execute such documents on behalf of the City, which request is consistent with the original intent of the Maintenance Deed of Trust,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City Manager of the City of Modesto, on behalf of the City of Modesto, to execute specific subordination agreements in the event of the refinancing of lots in Modesto Verde Mobile Home Park Subdivision and to execute requests for reconveyances on lots in said subdivision which are resold.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 25th day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

(SEAL)

ATTEST: W. F. CHYNOWETH, City Clerk

APPROVED AS TO FORM: ELWYN I. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-896

A RESOLUTION ANNEXING UNINHABITED TERRITORY KNOWN AS THE SCENIC-ROSE ADDITION TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on October 19, 1973, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as SCENIC-ROSE Addition,

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

That the annexation of said uninhabited territory designated as SCENIC-ROSE Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto

be and the same is hereby approved and said property be and the same is hereby subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved, is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 25th day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

RNM 10-23-73

May 30, 1973

Revised 10-16-73

SCENIC-ROSE NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 27, 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 Southern line of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records, said Southern line being the center line of 50.00 foot Scenic Drive, said point also being the intersection of a line which is parallel with and 29.04 feet, measured at right angles, Easterly from the North-South quarter section line of said Section 27; thence along the existing City Limits on the Southern boundary of said Addition (226) and said center line of Scenic Drive, North 73°46'45" East, 650.60 feet to the Northeastern corner of Parcel I as described in the Decree of Distribution to Matilda Dedini, et al, recorded September 15, 1967, as Instrument 29128, Stanislaus County Records; thence leaving the existing City Limits and along the Eastern line of said Dedini property, South 00°36'00" East, 451.83 feet, to the center line of Dry Creek; thence Southwesterly along the center line of Dry Creek the following courses, South 53°50'45" West, 314.34 feet; South 61°36'43" West, 133.83 feet; South 72°48'01" West, 112.04 feet; South 61°38'29" West, 111.35 feet; South 72°53'00" West, 49.09 feet, to a point on the above mentioned line parallel with and 29.04 feet Easterly from the North-South quarter section line of Section 27; thence along said parallel line, North 00°33'03" West, 619.63 feet, to the point of beginning, containing 8.049 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-887

A RESOLUTION ANNEXING UNINHABITED TERRITORY KNOWN AS THE SUNRISE-BRIGGSMORE ADDITION TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on October 19, 1973, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as SUNRISE-BRIGGSMORE Addition,

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

That the annexation of said uninhabited territory designated as SUNRISE-BRIGGSMORE Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto

be and the same is hereby approved and said property be and the same is hereby subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved, is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at adjourned a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1973, by Councilman Khachigian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Khachigian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

RMM 10-23-73

SUNRISE-BRIGGSMORE ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of the Southwest quarter of Section 16, 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 FELLOWSHIP HOMES ADDITION (167), as per description filed October 5, 1964, as Instrument 39594, Stanislaus County Records, said point being on the Southern line of NORTHEAST ADDITION (78), as per description filed January 31, 1958, as Instrument 2427, Stanislaus County Records; thence along the existing City Limits on the Eastern line of said Addition (167), South 00°45' East, 684.29 feet to its intersection with a Northeastern line of the SUNRISE-GRANGER ADDITION (296), as per description filed October 6, 1972, as Instrument 14519, Stanislaus County Records; thence along the existing City Limits on the Northeastern line of said Addition (296), South 69°35' East, 636.69 feet, to a point on a Western line of said Addition (296), said point also being on the center line of a public road known as Sunrise Avenue; thence along the existing City Limits on the Western line of said Addition (296), said line also being the North-South quarter section line of said Section 16, North 00°07' East, 871.22 feet, to a point on the Southern line of the NORWEGIAN NO. 1 ADDITION (273), as per description filed July 29, 1971, as Instrument 28289, Stanislaus County Records; thence continuing along the existing City Limits on the Southern line of said Addition (273), which is also the center line of a public road known as Norwegian Avenue, North 89°31' West, 30.00 feet, to the Southwestern corner of said Addition (273); thence along the existing City Limits on the Western line of said Addition (273), North 00°46' West, 30.00 feet, to the Southeastern corner of said Northeast Addition (78), said point being on the Northern line of said Norwegian Avenue; thence continuing along the existing City Limits on the Southern line of said Addition (78), North 89°31' West, 577.05 feet, to the point of beginning, containing 10.927 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-888

A RESOLUTION APPROVING AND ADOPTING A WORKABLE PROGRAM FOR THE CITY OF MODESTO FOR 1973-75.

WHEREAS, the Housing Act of 1949, as amended, requires as a condition of certain federal assistance a Workable Program which must include an official plan of action for utilizing appropriate private and public resources to eliminate and prevent the spread of slums and blight and provide needed housing for low and moderate income residents, and

WHEREAS, a federally certified Workable Program is a prerequisite for federal assistance in certain housing programs, such as the almost completed Federally Assisted Code Enforcement program in the City of Modesto, and

WHEREAS, the Planning Commission of the City of Modesto by its Resolution No. 73-121 adopted on October 16, 1973, has recommended to the City Council that a Workable Program for Community Improvement for the City of Modesto for 1973-75 be adopted, and forwarded to the U. S. Department of Housing and Urban Development for final review and recertification, and

WHEREAS, the City Council of the City of Modesto finds and determines that the Workable Program recommended by the Planning Commission unites the various public and private efforts to eliminate and prevent slums and blight and provides direction to supplying and maintaining needed housing for low and moderate income residents in the City of Modesto, and

WHEREAS, the Council also finds and determines that said Workable Program is an important means for guiding efforts to provide "a decent home in a suitable living environment for every family," which is both a national and city housing goal,

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

1. The Workable Program for the City of Modesto for 1973-75 contained in a document entitled "Application for Workable Program Certification or Re-certification 1973-1975 Modesto, California" is hereby approved and adopted as the Workable Program for the City of Modesto for a period of two years.

2. The City Manager is hereby authorized and directed to sign and submit said application to the U. S. Department of Housing and Urban Development for final review and recertification.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 25th day of October, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 889

A RESOLUTION AMENDING THE BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1974, TO ESTABLISH A BUS SERVICE FUND, ESTIMATE REVENUE, AUTHORIZE APPROPRIATIONS FOR EXPENDITURE, AND PROVIDE FOR A TRANSFER FROM THE GENERAL FUND.

WHEREAS, the City of Modesto has acquired five buses for mass transportation service in the Modesto urban area, and

WHEREAS, pursuant to the terms of a Federal grant agreement, the City has agreed to assure mass transportation service during the useful life of said five buses, and

WHEREAS, the City has contracted to provide for the operation of said buses under a supervisory agreement with a private operator,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Budget of the City of Modesto for the Fiscal Year ending June 30, 1974, is hereby amended to establish an enterprise fund designated as the Bus Service Fund (Fund No. 350), for the purpose of carrying out the objectives stated above.

BE IT FURTHER RESOLVED that revenue is estimated and appropriated in said Bus Service Fund (Fund 350) for the 1973-74 fiscal year as follows:

Estimated Revenue (Account No. 20)	$ 45,117.00
Said estimated revenue to be credited to the following subsidiary revenue account:	
Passenger Revenue - (Account No. 751)	$ 45,117.00
Estimated Fund Transfers (Account No. 21)	
Said estimated fund transfer to be transferred from the General Reserve (Account No. 60) of the General Fund (Fund No. 101)	$ 61,380.00
Appropriation (Account No. 70)	$106,497.00
Said appropriation to be authorized for expenditures in the following subsidiary accounts:	
Account 207 Conference Expenses	$ 80.00
Account 208 Business Expenses	25.00
Account 218 Equipment Rental Charges	48,117.00
Account 235 Services, Professional & Other	54,900.00
Account 301 Office Supplies	160.00
Account 302 Books & Periodicals	15.00
Account 490 Service Charges	3,200.00

BE IT FURTHER RESOLVED that the Director of Finance is authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 25th day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-890

A RESOLUTION AMENDING THE BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1974, TO PROVIDE FOR THE MAINTENANCE AND OPERATION OF THE FIVE (5) CITY OWNED BUSES.

WHEREAS, the City of Modesto has acquired five buses for mass transportation service in the Modesto urban area, and

WHEREAS, pursuant to the terms of a Federal Grant Agreement, the city has agreed to assure mass transportation service during the useful life of said five buses, and

WHEREAS, to assure said mass transportation service, it is necessary to maintain said five buses,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Service Working Capital Fund (Fund No. 512) of the Budget of the City of Modesto for the fiscal year ending June 30, 1974, be amended to provide for the maintenance and operation of the five city owned buses as follows:

Estimated Equipment Rental Income to be appropriated in the following subsidiary accounts:		$48,117.00
110	Salaries & Wages, Regular	$ 6,278.00
226	Laundry & Cleaning	100.00
308	Tools, Shop, Field Supplies	1,000.00
330	Gas, Oil, Lubricants	16,500.00
332	Equipment Parts	5,000.00
411	Compensation Insurance	202.00
412	Automotive Insurance	7,185.00
422	Dental Insurance	39.00
423	Group Life Insurance	10.00
424	OASDI Contribution	368.00
425	PERS Contribution	554.00
426	Group Health Insurance	160.00
5305	Addition to Pump Island	2,000.00
5456	Impact Tire Wrench	525.00
5457	Drive Socket Set - 3/4"	390.00
5458	Diesel Compression Tester	80.00
5459	Air Wrench	140.00
5460	Floor Jack 5 Ton	450.00
5461	H. D. Jack Stands - (4)	200.00
5462	Battery Charger - 12V	175.00
5463	A. V. R. Tester - 600 apm cap.	525.00
5464	Creepers (2)	25.00
5465	Retractable Cord Reels (4)	140.00
5466	Set of Pullers	300.00
5467	Drill Motor - 1/2"	125.00
5468	Drill Motor - 1/4" angle	85.00
5469	Drill Press	310.00
5470	Pressure Brake Bleeder	75.00
5471	Hand Hack Saws (2)	10.00
5472	Drill Bit Set	76.00
5473	Diesel Pump	700.00
5474	Portable Air Conditioner Charger	235.00
5475	Air Conditioner Vacuum Pump	225.00
5476	Heavy Duty Vise - 6"	200.00
5477	Wheel Bearing Packer	75.00

BE IT FURTHER RESOLVED that the Director of Finance is authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 25th day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott, Newton

ATTEST: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-891

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF STONE BROS. & ASSOCIATES TO APPEAL THE RESOLUTION OF THE MODESTO CITY PLANNING COMMISSION DENYING A SIX (6) MONTH TIME FOR EXTENSION FOR STARTING PHASE IV OF P-D(21)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 19, 1973, 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 request of Stone Bros. & Associates to appeal the Resolution of the Modesto City Planning Commission denying a six (6) month time for extension for starting Phase IV of P-D(21).

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 25th day of October, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-892

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TWO (2) FOUR-WHEEL, TWIN DIESEL ENGINE STREET SWEEPERS

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

SECTION 1. The plans and specifications for furnishing two (2) four-wheel, twin diesel engine 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 20, 1973 at 2:15 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-893

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TWO (2) GENERAL PURPOSE, FOUR-WHEEL DIESEL TRACTORS

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

SECTION 1. The plans and specifications for furnishing two (2) general purpose, four-wheel diesel tractors

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 20, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 19 73, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-894

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF INTERNAL WALKWAYS IN KEWIN PARK AND MOOSE PARK

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

SECTION 1. The plans and specifications for construction of Internal Walkways in Kewin Park and Moose 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 20, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-895

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN APPLEGATE NO. 5 SUBDIVISION

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

SECTION 1. The plans and specifications for installation of waterlines in Applegate No. 5 Subdivision 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 20, 1973 at 10:10 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-896

A RESOLUTION ACCEPTING THE BID OF W. M. LYLES COMPANY FOR REPLACEMENT OF SEWER LINES IN CHABOT COURT AND JOHN MUIR COURT

WHEREAS, Resolution No. 73-853 , adopted by the Council of the City of Modesto on October 9, 1973 , approved the plans and specifications for the replacement of sewer lines in Chabot Court and John Muir Court
and authorized the calling for bids, and

WHEREAS, the bids received for the replacement of sewer lines in Chabot Court and John Muir Court
were opened at 10:00 A.M. on October 23, 1973 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 W. M. Lyles Co. in the amount of $17,927.625

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of W. M. Lyles Co. in the amount of $17,927.625

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 regular meeting of the Council of the City of Modesto held on the 5th day of November, 19 73 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-897

A RESOLUTION ACCEPTING THE CONSTRUCTION OF FIRE HYDRANTS AND WATER-LINES IN BUENA VISTA, EL RIO, AND LA SOMBRA STREETS (Western Pipeline Company)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Fire Hydrants and Water-lines in Buena Vista, El Rio, and La Sombra Streets has been completed by Western Pipeline Company

in accordance with the contract agreement dated June 25, 1973

NOW, THEREFORE, BE IT RESOLVED that the construction of Fire Hydrants and Waterlines in Buena Vista, El Rio, and La Sombra Streets be accepted from said contractor, Western Pipeline Company

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $13,428.20 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 5th day of November, , 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-898

A RESOLUTION ACCEPTING THE CONSTRUCTION OF IMPROVEMENT OF CUL-DE-SAC AT NORTH END OF TIMOTHY AVENUE (Lee White Paving Company)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Improvement of Cul-de-sac at North end of Timothy Avenue has been completed by Lee White Paving Company

in accordance with the contract agreement dated June 4, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of Improvement of Cul-de-sac at North end of Timothy Avenue be accepted from said contractor, Lee White Paving Company

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $11,473.93 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 November , 19 73 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-899

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPLACEMENT OF THE STREET LIGHT CIRCUIT AT STATION NO. 5

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

SECTION 1. The plans and specifications for replacement of the street light circuit at Station 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 November 20, 1973 at 10:15 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-900

A RESOLUTION ACCEPTING THE CONSTRUCTION OF REPAIR OF LEAKS IN THE CITY HALL GARAGE (George Reed, Inc.)

WHEREAS, a report has been filed by the Director of Parking and Traffic that the construction of repair of leaks in the City Hall Garage

has been completed by George Reed, Inc.

in accordance with the contract agreement dated December 18, 1972.

NOW, THEREFORE, BE IT RESOLVED that the construction of repair of leaks in the City Hall Garage

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 $4,305.00 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 5th day of November , 19 73 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-901

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TENNIS COURTS IN DOWNEY PARK (Elrich Construction Company)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Tennis courts in Downey Park has been completed by Elrich Construction Company

in accordance with the contract agreement dated June 11, 1973

NOW, THEREFORE, BE IT RESOLVED that the construction of Tennis courts in Downey Park be accepted from said contractor, Elrich Construction Company

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $82,872.00 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 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-902

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINES IN DALE ROAD, NORTHRIDGE NO. 1, SMOKE TREE NO. 1, APPLEGATE NO. 4 (Joe Martin)

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterlines in Dale Road, Northridge No. 1, Smoke Tree No. 1 and Applegate No. 4 Subdivisions has been completed by Joe Martin

in accordance with the contract agreement dated June 18, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterlines in Dale Road, Northridge No. 1, Smoke Tree No. 1 and Applegate No. 4
be accepted from said contractor, Joe Martin

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $24,837.95 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 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-903

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPLACEMENT OF CURBS, GUTTERS AND CONSTRUCTION OF SIDEWALKS AT GRACEADA PARK

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

SECTION 1. The plans and specifications for replacement of curbs, gutters and construction of sidewalks at Graceada 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 20, 1973 at 10:20 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-904

A RESOLUTION ACCEPTING THE BID OF DOMENICO FRISONE FOR PURCHASE OF SURPLUS CITY PROPERTY LOCATED ON BODEM AVENUE, SOUTH OF LUCERNE AVENUE

WHEREAS, Resolution No. 73-861 adopted by the Council of the City of Modesto on October 15, 1973 authorized the sale of surplus city property located on Bodem Avenue, south of Lucerne Avenue, and authorized a call for bids; and

WHEREAS, sealed bids for the sale of the property were opened November 5, 1973 at 2:00 P.M. for consideration of the Council; and

WHEREAS, specifications for the sale of the property established a minimum bid of $9,000; and

WHEREAS, a lone bid of $9,500 was submitted by Domenico Frisone; and

WHEREAS, no other prospective bidders were present in the Council Chambers, City Hall, at 4:30 P.M., November 5, 1973, the time scheduled by the Council for oral bids for purchase of the property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Domenico Frisone in amount of $9,500 for purchase of surplus city property located on Bodem Avenue, south of Lucerne Avenue, is hereby accepted.

BE IT FURTHER RESOLVED that execution of a grant deed by the Mayor and City Clerk is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

(MSD - A1)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-905

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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-ROSE ADDITION)

WHEREAS, there has been annexed to the City of Modesto on October 25, 19 73, certain territory known as Scenic-Rose Addition, and

WHEREAS, the inclusion of the area contained in Scenic-Rose Addition 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-Rose Addition (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. 113.

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

SECTION 5. Monday, December 17, 1973, 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 judgment 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. 113 .

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) 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) On the South side of Scenic Drive at the West boundary of the annexation.

(2) On the South side of Scenic Drive 325 feet East of Rose Avenue.

(3) On the South side of Scenic Drive at the East boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 113, 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 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

RHH 11-1-73

May 30, 1973

Revised 10-16-73

SCENIC-ROSE NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 27, 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 Southern line of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records, said Southern line being the center line of 50.00 foot Scenic Drive, said point also being the intersection of a line which is parallel with and 29.04 feet, measured at right angles, Easterly from the North-South quarter section line of said Section 27; thence along the existing City Limits on the Southern boundary of said Addition (226) and said center line of Scenic Drive, North 73°46'45" East, 650.60 feet to the Northeastern corner of Parcel I as described in the Decree of Distribution to Matilda Dedini, et al, recorded September 15, 1967, as Instrument 29128, Stanislaus County Records; thence leaving the existing City Limits and along the Eastern line of said Dedini property, South 00°36'00" East, 451.83 feet, to the center line of Dry Creek; thence Southwesterly along the center line of Dry Creek the following courses, South 53°50'45" West, 314.34 feet; South 61°36'43" West, 133.83 feet; South 72°48'01" West, 112.04 feet; South 61°38'29" West, 111.35 feet; South 72°53'00" West, 49.09 feet, to a point on the above mentioned line parallel with and 29.04 feet Easterly from the North-South quarter section line of Section 27; thence along said parallel line, North 00°33'03" West, 619.63 feet, to the point of beginning, containing 8.049 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 November 5, 1973, 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 Councilman Elliott, seconded by Councilman Kullijian, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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: November 6, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

(MSD - A1)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-906

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (FINCH NO. 1 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on October 15, 1973, certain territory known as Finch No. 1 Addition, and

WHEREAS, the inclusion of the area contained in Finch No. 1 Addition 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 Finch No. 1 Addition (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. 114.

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

SECTION 5. Monday, December 17, 1973, at the hour of 4:05 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 judgment 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. 114 .

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) 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) On the Southwest side of East Modesto Road at the North boundary of the annexation.

(2) On the Southwest side of East Modesto Road at the South boundary of the annexation.

(3) On the South side of Finch Road at the East boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 114, 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 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Public Works Department

11-1-73

FINCH NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 35, Township 3 South, Range 9 East, and the Northeast quarter of Section 2, Township 4 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 line of the AIRPORT NO. 2 ADDITION (217), as per description filed July 12, 1968, as Instrument 21316, Stanislaus County Records, said point being the intersection of the Southwestern line of a 100.00 foot public road known as East Modesto Road and the section line common to said Sections 2 and 35; thence along said Southwestern line of East Modesto Road, North 55° 55' 00" West, 62.77 feet, to its intersection with the Westerly prolongation of the center line of a 70.00 foot public road known as Finch Road; thence along said center line of Finch Road and its Westerly prolongation, South 89° 48' 12" East, 1109.53 feet; thence South 1° 03' 38" East, 573.09 feet, to a point on the Northeastern line of a 200.00 foot public road known as East Modesto Road; thence South 34° 05' 00" West, 200.00 feet, to the Southwestern line of said East Modesto Road and a point on a Northeastern line of said Addition (217); thence along the existing City Limits on said Northeastern line of Addition (217), North 55° 55' 00" West, 1262.62 feet, to a point on said section line common to Sections 2 and 35; thence along the section line common to Sections 2 and 35, South 89° 48' 12" East, 89.68 feet, to the point of beginning, containing 10.857 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 November 5, 1973, 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 Councilman Elliott, seconded by Councilman Kullijian, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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: November 6, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-907

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-Rose Addition by Resolution No. 73-886 adopted on October 25, 1973, and said addition officially became a part of the City of Modesto on October 29, 1973, 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, THEREFORE, 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, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

R.M.H. 11-1-73

By Ross Campbell
Public Works Department

May 30, 1973

Revised 10-16-73

SCENIC-ROSE NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 27, 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 Southern line of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records, said Southern line being the center line of 50.00 foot Scenic Drive, said point also being the intersection of a line which is parallel with and 29.04 feet, measured at right angles, Easterly from the North-South quarter section line of said Section 27; thence along the existing City Limits on the Southern boundary of said Addition (226) and said center line of Scenic Drive, North 73°46'45" East, 650.60 feet to the Northeastern corner of Parcel I as described in the Decree of Distribution to Matilda Dedini, et al, recorded September 15, 1967, as Instrument 29128, Stanislaus County Records; thence leaving the existing City Limits and along the Eastern line of said Dedini property, South 00°36'00" East, 451.83 feet, to the center line of Dry Creek; thence Southwesterly along the center line of Dry Creek the following courses, South 53°50'45" West, 314.34 feet; South 61°36'43" West, 133.83 feet; South 72°48'01" West, 112.04 feet; South 61°38'29" West, 111.35 feet; South 72°53'00" West, 49.09 feet, to a point on the above mentioned line parallel with and 29.04 feet Easterly from the North-South quarter section line of Section 27; thence along said parallel line, North 00°33'03" West, 619.63 feet, to the point of beginning, containing 8.049 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-908

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE EMPIRE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Empire Fire Protection District in Stanislaus County was annexed to the City of Modesto as Finch No. 1 Addition by Resolution No. 73-877 adopted on October 15, 1973, and said addition officially became a part of the City of Modesto on October 25, 1973, 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, THEREFORE, 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 Empire Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

R Hill 11-1-73

By Rod Campbell
Public Works Department

FINCH NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 35, Township 3 South, Range 9 East, and the Northeast quarter of Section 2, Township 4 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 line of the AIRPORT NO. 2 ADDITION (217), as per description filed July 12, 1968, as Instrument 21316, Stanislaus County Records, said point being the intersection of the Southwestern line of a 100.00 foot public road known as East Modesto Road and the section line common to said Sections 2 and 35; thence along said Southwestern line of East Modesto Road, North 55° 55' 00" West, 62.77 feet, to its intersection with the Westerly prolongation of the center line of a 70.00 foot public road known as Finch Road; thence along said center line of Finch Road and its Westerly prolongation, South 89° 48' 12" East, 1109.53 feet; thence South 1° 03' 38" East, 573.09 feet, to a point on the Northeastern line of a 200.00 foot public road known as East Modesto Road; thence South 34° 05' 00" West, 200.00 feet, to the Southwestern line of said East Modesto Road and a point on a Northeastern line of said Addition (217); thence along the existing City Limits on said Northeastern line of Addition (217), North 55° 55' 00" West, 1262.62 feet, to a point on said section line common to Sections 2 and 35; thence along the section line common to Sections 2 and 35, South 89° 48' 12" East, 89.68 feet, to the point of beginning, containing 10.857 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-908-A

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS TITLE GUARANTY COMPANY AND ACCEPTING GRANT DEED (Needham Street Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Stanislaus Title Guaranty Company for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-909

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JENKS AND ADAMSON FOR PREPARATION OF OPERATIONS AND MAINTENANCE MANUAL AND MAINTENANCE INSTRUCTIONAL PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Jenks and Adamson

for preparation of Operations and Maintenance Manual and Maintenance Instructional 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 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 910

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan was adopted by Resolution No. 67-66 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 by resolution of the City Council,

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

SECTION 1. The Position Classification Plan of the City of Modesto is hereby amended to abolish certain classes of positions and create new classifications as follows:

CLASSIFICATIONS ABOLISHED	CLASSIFICATIONS CREATED
Clerk, Intermediate	Account Clerk, Intermediate
Clerk, Junior	Account Clerk, Junior
Electrician Leadman	Electrician, Senior
Key Punch Operator	Office Services Clerk
Office Machine Operator	Office Services Supervisor
Office Machine Supervisor	Stenographer Clerk
Police Services Clerk	Typist Clerk
Public Works Maintenance Superintendent	
Stenographer Clerk, Intermediate	
Supervisor of General Services	
Typist Clerk, Intermediate	

SECTION 2. The specifications for the classifications created, as shown on the attached Exhibits "A", "B", "C", "D", "E","F" and "G" which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

(SEAL) ATTEST: W. T. Chynoweth

W. B. CHYNOWETH, City Clerk

APPROVED AS TO FORM: Elwyn L. Johnson

ELWYN L. JOHNSON, City Attorney

ACCOUNT CLERK, INTERMEDIATE

Definition

Under supervision, to perform a variety of clerical work; to operate various office and tabulating equipment; and to do related work as required.

Typical Tasks

Meets public, accepts payment of fees and explains regulations; maintains a variety of forms and records; reviews forms and records for accuracy and completeness; revises files and procedures in accordance with new methods ; codes and classifies information in accordance with established practices; makes computations; operates standard office equipment, including adding machines, calculators, typewriters, and various tabulating equipment; gathers, compiles, and summarizes data and information.

May be assigned to receive data which has been prepared and pre-coded and punches data according to prescribed procedure by the use of an alphabetic or numeric key punch machine. Operates a verifying or interpreting machine in checking cards punched against certain data. Sorts, arranges and files punching media and punch cards and performs other work as required.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade and one year of general clerical, cashier or key punch experience.

Desirable Qualifications

Knowledge of office practices and procedures; ability to learn specialized clerical procedures and perform a variety of clerical work involving use of independent judgment; ability to follow oral and written instructions; ability to make computations quickly and accurately; ability to meet and deal with the public effectively; ability to type at a rate of 25 net words per minute.

ACCOUNT CLERK, JUNIOR

Definition

Under supervision, to perform a limited variety of clerical work in which assignments and procedures are prescribed; and to do related work as required.

Typical Tasks

Transcribes information on forms and records; indexes, alphabetizes and files records; maintains files; makes simple computations and totals figures; records information on forms and records; compares names and addresses; proofreads material; classifies information according to a prescribed system; operates some office equipment; sorts and dispatches mail; requisitions or issues supplies; counts and sorts coins and records amounts.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade.

Desirable Qualifications

Knowledge of office methods and procedures; ability to perform a variety of prescribed clerical work.

Exhibit "B"

City of Modesto

1973

SENIOR ELECTRICIAN

Definition

Under direction, supervises and works with employees engaged in the maintenance and repair of city electrical installations and systems; and to do related work as required.

Typical Tasks

Takes the lead in a crew or crews engaged in installing, maintaining or repairing traffic signals, fire and police signal systems, airport lighting systems, flood lighting systems, street lights, motors and various other types of electrical equipment and apparatus; inspects, tests, locates, and repairs trouble in electrical circuits and equipment; climbs and performs lineman work; reads blueprints; enforces safety regulations; requisitions and accounts for materials, keeps work records; acts for Chief Electrician in his absence; trains and evaluates work of subordinate employees.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade and three years of experience as a journeyman electrician.

Desirable Qualifications

Knowledge of the principles, practices, tools and equipment and materials used in the electrical trade; knowledge of the installations, operation, and maintenance of electrical equipment, apparatus and instruments; knowledge of the laws, rules and standards pertaining to electrical construction and maintenance; ability to read and interpret electrical plans and diagrams; ability to plan work and direct work of crews; ability to work with others.

OFFICE SERVICES CLERK

Definition

Under supervision, to perform various types of office services functions, and to do related work as required.

Typical Tasks

Operates varied types of duplicating and reproducing machines and other office equipment; receives, sorts, and distributes mail to city departments and to city officials; assembles, binds, and staples reproduced materials; prepares presensitized plates; makes simple chemical mixtures; requisitions office supplies; computes totals of materials reproduced and time required; maintains equipment and keeps it clean and in good condition.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade and six months of experience in the operation of varied duplicating equipment.

Desirable Qualifications

Knowledge of the operating methods and uses of duplicating and other office machines; knowledge of office methods and terminology; ability to understand and carry out oral and written directions; clerical aptitude and manual dexterity.

OFFICE SERVICES SUPERVISOR

Definition

Under direction, to supervise and participate in the work of a central office services division; and to do related work as required.

Typical Tasks

Plans, assigns, and supervises the work of a clerical unit engaged in duplicating materials for all departments, and performing other central office services such as mail, messenger, etc; determines priorities; schedules work; arranges for the servicing and upkeep of machinery; operates a wide variety of office equipment; maintains records for distribution of costs to departments; trains new staff in the operation of equipment; provides for packaging, shipping, and receiving of materials; issues equipment; assists in budget preparation.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade and two years of experience in the operation of a variety of standard duplicating and other office machines.

Desirable Qualifications

Knowledge of the operation of multilith, graphotype, addressograph, blueprinting and other standard duplicating equipment; knowledge of office procedures and terminology; ability to make adjustments and simple repairs to duplicating machines; ability to plan and supervise the work of others; ability to maintain accurate records and prepare reports.

Exhibit "E"

City of Modesto

1973

Definition

Under supervision, to perform a variety of general office clerical work in which assignments and procedures are indicated in general terms but require use of independent judgment; to take and transcribe shorthand notes; and to do related work as required.

Typical Tasks

Takes shorthand notes from dictation or at meetings; transcribes correspondence, memos, reports and proceedings of meetings from notes or recordings; writes correspondence and memos independently; maintains a follow-up on correspondence and matters requiring action; maintains records and files; performs a variety of clerical work involved in following established procedures; makes computations; verifies information; checks for accuracy and completeness of information contained in documents and other records; answers telephone and greets visitors; answers questions and explains policies and procedures; makes arrangements for meetings.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade and one year of clerical work which has included the use of stenography.

Desirable Qualifications

Knowledge of office practices and procedures; ability to learn specialized clerical procedures and perform a variety of clerical work involving independent judgment; ability to follow oral and written instructions; ability to make computations quickly and accurately; ability to take dictation at a speed of 90 words per minute and to transcribe it accurately at a speed of 25 words per minute; ability to type from clear copy at a speed of 45 net words per minute; ability to meet and deal with the public effectively.

TYPIST CLERK

Definition

Under supervision to perform a variety of general office clerical work in which assignments and procedures are indicated in general terms but requires use of independent judgment; to type from a variety of sources; and to do related work as required.

Typical Tasks

Types correspondence, memos, reports, and other materials from rough drafts, including pencilled notations of references to other sources, abbreviated marginal notes, or from recordings; writes some correspondence and memos independently; maintains a follow-up on correspondence and matters requiring action; maintains records and files; performs a variety of clerical work involved in following established procedures; makes computations; verifies information; checks for accuracy and completeness of information contained in documents and other records; answers telephone and greets visitors; answers questions and explains policies and procedures; makes arrangements for meetings.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade and one year of clerical work which has included typing.

Desirable Qualifications

Knowledge of office practices and procedures; ability to learn specialized clerical procedures and perform a variety of clerical work involving independent judgment; ability to follow oral and written instructions; ability to make computations quickly and accurately; ability to type from clear copy at a rate of 45 net words per minute; ability to meet and deal with the public effectively.

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 911

A RESOLUTION AMENDING EXHIBIT "B" OF RESOLUTION NO. 73-566 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. 73-566. Exhibit "B" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1973-74" attached to Resolution No. 73-566, is hereby amended as shown on the amended Exhibit "B" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1973-74", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "B" adds the positions of Account Clerk, Intermediate, Range 13; Account Clerk, Junior, Range 10; Electrician, Senior, Range 24.5; Office Services Clerk, Range 16; Office Services Supervisor, Range 19; Stenographer Clerk, Range 14.5; and Typist Clerk, Range 13. Said amended Exhibit "B" deletes the positions of Clerk, Intermediate, Range 13; Clerk, Junior, Range 10; Electrician Leadman, Range 24.5; Key Punch Operator, Range 13; Office Machine Operator, Range 16; Office Machine Supervisor, Range 19; Police Services Clerk, Range 18.5; Public Works Maintenance Superintendent, Range 27; Stenographer Clerk, Intermediate, Range 14.5; Supervisor of General Services, Range 23.5; and Typist Clerk, Intermediate, Range 13.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies
S

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CLASSIFICATIONS IN CITY SERVICE
1973-74

(Effective 6-26, amended 7-2, 10-1, and 11-5-73)

Classification Title	Range No.
Account Clerk	14.5
Account Clerk, Intermediate	13
Account Clerk, Junior	10
Account Clerk, Senior	18.5
Accountant	26
Accountant, Junior	22.5
Accountant, Senior	29
Airport Manager	27.5
Animal Control Officer	18.5
Assistant City Attorney	34
Assistant City Clerk	20.5
Assistant Dir. of Public Works	35
Assistant Fire Chief	31.9
Assistant Planner	26
Associate Civil Engineer	32
Associate Planner	29
attalion Chief	28.9
Building Inspector	25
Building Inspector, Senior	27
Building Maintenance Foreman	22
Chief Building Official	32
Chief Electrician	27
Chief of Police	36.7
City Attorney	N/A
City Clerk and Auditor	30.5
City Manager	N/A
Civil Engineering Assistant	28
Communications Dispatcher	19.5
Community Development and Human Affairs Coordinator/ Assistant to City Manager	28.5
Construction Inspector	25
Data Processing Supervisor	22.5
Deputy City Manager	39.5
Director of Finance	35.8
Director of Parking & Traffic	36
Director of Parks & Recreation	35.8
Director of Planning	36
Director of Public Works and City Engineer	39.5
Electrician	23.5
Electrician, Senior	24.5
Engineering Aide	20.5
Engineering Aide, Junior	17.5
Engineering Aide, Principal	26
Engineering Aide, Senior	23.5
Equipment Mechanic	21.5
Equipment Mechanic, Senior	22.5
Equipment Serviceman	18.5
Fire Chief	35.7
Fire Engineer	23.9
Fire Lieutenant	25.9
Fireman	22.9
Heavy Equipment Operator	20.5
Janitor	14.5
Junior Civil Engineer	26
Laboratory Technician	20.5
Laborer	16.5
Museum Supervisor	23.5
Office Services Clerk	16
Office Services Supervisor	19
Parks & Recreation Foreman	25
Parks & Recreation Leadman	22
Parks & Recreation Supt.	28.5
Parks Maintenance Man	18.5
Parks Maintenance Mechanic	19.5
Personnel Officer	31.5
Planning Aide	20.5
Planning Aide, Junior	17.5
Planning Aide, Senior	23.5
Police Captain	32.7
Police Lieutenant	29.7
Police Property Clerk	17.5
Police Records Supervisor	25
Police Sergeant	27.7
Policeman	24.7

Exhibit "B"

Classification Title	Range No.
Policewoman	24.7
Property Agent	27
Public Works Foreman	25
Public Works Leadman	22
Public Works Maintenance Man	18.5
Public Works Maintenance Mechanic	19.5
Purchasing Officer	27.5
Recreation Supervisor	23.5
Secretary	18.5
Secretary to City Attorney	20.5
Secretary to City Manager	21.5
Senior Planner	32
Shop Foreman	25
Stenographer Clerk	14.5
Stenographer Clerk, Junior	11
Stores and Equipment Clerk	19.5
Stores Supervisor	22.5
Telephone Operator-Receptionist	13
Traffic Painter	20.5
Tree Trimmer	20.5
Tree Trimmer Aide	19.5
ypist Clerk	13
Typist Clerk, Junior	10
Water Quality Control Foreman	25
Water Quality Control Oper. I	18.5
Water Quality Control Oper. II	21.5
Water Quality Control Supt.	29
Zoning Inspector	25

Total number of classifications
in City service - 101

MODESTO CITY COUNCIL
RESOLUTION NO. 73-912

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HARRY T. KULLIJIAN AND GERALDINE B. KULLIJIAN TO PROVIDE SEWER SERVICE TO TUOLUMNE PARK HOMES, A 34 LOT SUBDIVISION IN THE COUNTY OF STANISLAUS ON THE SOUTH SIDE OF RIVER ROAD WEST OF HERNDON ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Harry T. Kullijian and Geraldine B. Kullijian

for sewer service to Tuolumne Park Homes, a 34 lot subdivision in the County of Stanislaus on the south side of River Road west of Herndon 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 November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Kullijian

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-913

A RESOLUTION COMMENDING WILLIS M. KLEINENBROICH FOR SERVICES TO THE CITIZENS OF THE CITY OF MODESTO IN OPERATION OF THE MODESTO MOTOR BUS SERVICE

WHEREAS, application was made by Willis M. Kleinenbroich for a license to operate motor buses within the City of Modesto on June 13, 1932; and

WHEREAS, Willis M. Kleinenbroich has operated the Modesto Motor Bus Service as a private individual within the City of Modesto since the approval of his license by the City of Modesto in 1932; and

WHEREAS, Willis M. Kleinenbroich has operated the Modesto Motor Bus Service within the City of Modesto since March 1968 for the City of Modesto as an independent contractor; and

WHEREAS, during his many years of service to the citizens of the City of Modesto, both as a private individual and as an independent contractor for the City of Modesto, his cheerfulness, friendliness, and service to the citizens of Modesto have been greatly appreciated.

WHEREAS, it is with regret that the Council of the City of Modesto acknowledges the retirement of Willis M. Kleinenbroich.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby commends Willis M. Kleinenbroich for the outstanding service he has rendered to the citizens of the City of Modesto in the operation of the Modesto Motor Bus Service.

BE IT FURTHER RESOLVED that the Council hereby extends to Mr. Kleinenbroich its best wishes for a happy retirement.

BE IT FURTHER RESOLVED that a duly authenticated copy of this resolution be presented to Willis M. Kleinenbroich in recognition of his outstanding services to the citizens 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 November, 1973, by Councilman Mensinger, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-914

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 8-3-9 OF THE ZONING MAP (JAMES R. CLARKE)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 16, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 8-3-9 of the zoning map to prezone to Two-Family Residential Zone, R-2, Highway Frontage Zone, H-1, and Planned Development Zone, P-D the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-118 recommending to the Council that prezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 8-3-9 of the Zoning Map be set for November 26, 1973 at 7:30 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed prezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

Prezone to R-2

All that portion of the Northeast quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

BEGINNING at the northeast corner of Parcel "B" as shown on the map filed in Volume 17 of Parcel Maps, at Page 3, Stanislaus County Records; thence South 1° 20' 40" East, along the east line of said Parcel "B", a distance of 823.52 feet to the intersection with the center line of Union Avenue; thence North 89° 40' 25" West, along said center line of Union Avenue, a distance of 250.00 feet; thence North 1° 20' 40" West, a distance of 823.13 feet to the intersection with the north line of Parcel "B", thence South 89° 45' 45" East, along said north line of Parcel "B", a distance of 249.99 feet to the point of beginning.

CONTAINING 4.72 acres.

Prezone to H-1

All that portion of the Northeast quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

BEGINNING at the northwest corner of Parcel "A" as shown on the map filed in Volume 17 of Parcel Maps, at Page 3, Stanislaus County Records; thence South 89° 45' 45" East, along the north line of said Parcel "A", a distance of 701. 76 feet to the intersection with the East line of said Section 8, and the centerline of McHenry Avenue; thence South 1°20'50" East, along said East line of Section 8, and the centerline of McHenry Avenue, a distance of 484.31 feet; thence North 89° 40' 25" West, a distance of 701.81 feet to the southwest corner of said Parcel "A", thence North 1°20'40" West, along the West line of said Parcel A, a distance of 483.22 feet to the point of beginning.

CONTAINING 7.791 acres.

Prezone to Planned Development

All that portion of the Northeast quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

BEGINNING at the northwest corner of Parcel "C" as shown on the map filed in Volume 17 of Parcel Maps, at Page 3, Stanislaus County Records; thence South 89° 40' 25" East, along the north line of said Parcel "C", a distance of 701.81 feet to the intersection with the East line of said Section 8, and the centerline of McHenry Avenue; thence South 1° 20' 50" East, along said East line of Section 8, and the centerline of McHenry Avenue, a distance of 340.30 feet to the centerline intersection with Union Avenue; thence North 89° 40' 25" West along said centerline of Union Avenue a distance of 701.83 feet; thence North 1° 20' 40" West, a distance of 340.30 feet to the point of beginning.

CONTAINING 5.48 acres

MODESTO CITY COUNCIL
RESOLUTION NO. 73-915

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 20-3-9 OF THE ZONING MAP (JOHN QUARESMA, TULLY AND ROSEBURG)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 16, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 20-3-9 of the zoning map to rezone from One-Family Residential Zone, R-1, and Multiple-Family Residential Zone, R-3, to Planned Development Zone, P-D, the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-117 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 20-3-9 of the Zoning Map be set for November 26, 1973 at 7:35 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

R-1 to P-D

Part 1

All that portion of the East half of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northwest corner of the East half of the Northwest quarter of the Southwest quarter of said Section 20, and run thence East along the North line thereof, 82.5 feet, thence South parallel with the West line thereof, 166 feet; thence East parallel with the North line thereof, 82.5 feet; thence South parallel with the West line thereof, 164 feet; thence West parallel with the North line thereof 165 feet to the West line of said East half; thence North along the West line of said East half, 330 feet to the point of beginning.

Part 2

All that portion of the West half of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the northeast corner of the West half of the Northwest quarter of the Southwest quarter of said Section 20; thence South along the East line of the West half of the Northwest quarter of the Southwest quarter of said Section 20, a distance of 330 feet more or less to its point of intersection with Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of Maps, at Page 70, Stanislaus County Records, thence North 87° 56' 30" West along the North line of Lot 10 and its Easterly prolongation of said Quaresma Tract No. 1, 145 feet more or less to its intersection with the west line of that certain alley designated on the map hereinabove referred to; thence North 0° 01' 15" East along the East line of said alley a distance of 330 feet more or less to the North line of the Northwest quarter of the Southwest quarter, thence South 87° 56' 50" East, a distance of 145.09 feet more or less to the point of beginning.

Part 3

Parcel A as shown upon that certain Parcel Map filed March 6, 1967, in Volume 3 of Parcel Maps, Page 13, Stanislaus County Records; being a portion of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Including also the southerly 30 feet of Roseburg Avenue immediately adjacent to the north line of above mentioned Parcel A.

EXCEPTING THEREFROM the West 90 feet as measured along the South line of above mentioned Parcel A.

R-3 to P-D

The West 90 feet, measured along the South line thereof, of Parcel A as shown upon that certain Parcel Map filed March 6, 1967 in Volume 3 of Parcel Maps, Page 13, Stanislaus County Records; being a portion of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

INCLUDING ALSO the easterly 45 feet of Tully Road immediately adjacent to the above described property.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-916

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $858 TO PROVIDE FUNDS NEEDED FOR EXTRA HELP IN THE FINANCE DEPARTMENT

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$858.00
TO:	Salaries & Wages, Part-time (120-15-101)	$858.00

(To provide for extra help in the Finance Department)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-917

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF HOWARD M. SHAW FROM THE PERSONNEL COMMISSION

WHEREAS, Howard M. Shaw was appointed as a member of the Personnel Commission on December 1, 1969; and

WHEREAS, Howard M. Shaw has tendered his resignation as a member of the Personnel Commission effective November 5, 1973; and

WHEREAS, Howard M. Shaw has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Howard M. Shaw as a member of the Personnel Commission is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Howard M. Shaw 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 5th day of November, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-918

A RESOLUTION APPOINTING MEMBER OF THE PERSONNEL COMMISSION FOR A TERM ENDING JANUARY 1, 1978 (Ray Whitgrove)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appcint 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 Personnel Commission for the respective term as indicated: (Term ending January 1, 1978)

Ray Whitgrove
Wells Fargo Bank
1120 "K" Street
Modesto, California 95354

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Personnel 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 5th day of November, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-919

A RESOLUTION DECLARING SEAT OF VERA HINTON ON HUMAN RIGHTS COMMISSION VACANT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that it hereby declares the seat of Vera Hinton on the Human Rights Commission vacant effective November 5, 1973.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-920

A RESOLUTION APPOINTING MEMBER OF THE DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD FOR A TERM EXPIRING MARCH 28, 1977 (Al Hohnson)

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: (Term ending March 28, 1977)

Mr. Al Johnson
1905 Camden Drive
Modesto, California 95355

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 November, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-921

A RESOLUTION APPOINTING MEMBERS OF THE HUMAN RIGHTS COMMISSION FOR TERMS ENDING MAY 1, 1974 AND MAY 1, 1975 RESPECTIVELY (Ms. Bea Jones and Mrs. Nickie Cardenas)

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 Human Rights Commission for the respective term as indicated: (Term ending 5/1/74 and 5/1/75 respectively)

Ms. Bea Jones
Charmin Paper Products
P. O. Box 4368
Modesto, California 95352

Mrs. Nickie Cardenas
2033 Frazier Street
Modesto, California 95351

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Human Rights 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 5th day of November, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-922

A RESOLUTION APPOINTING MEMBER OF THE LIBRARY AND CULTURE COMMISSION TO REPLACE MRS. PEGGY MENSINGER FOR A TERM EXPIRING JANUARY 1, 1976 (Mrs. Grant (Colleen) Bare)

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 Library and Culture Commission for the respective term as indicated: (Term ending January 1, 1976)

Mrs. Grant (Colleen) Bare
2502 Dorrington Court
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Library and 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 5th day of November, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73 - 923

A RESOLUTION AUTHORIZING APPLICATION FOR A $59,320.00 GRANT MADE AVAILABLE THROUGH THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 ADMINISTERED BY THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE.

WHEREAS, the City of Modesto desires to continue a Community Response to Drug Abuse through Head Rest, Inc., to be funded in part from funds made available through the Omnibus Crime Control and Safe Street Act of 1968 administered by the California Council on Criminal Justice.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto authorizes Head Rest, Inc., to submit the attached Application for Grant for Law Enforcement Purposes to the California Council on Criminal Justice for its consideration.

BE IT FURTHER RESOLVED that in the event the California Council on Criminal Justice consents to fund the project, the City Manager is authorized to execute the contract on behalf of the City of Modesto.

The City of Modesto shall act as fiscal agent and shall receive and disburse funds and account for said funds in accordance with the grant provisions.

BE IT FURTHER RESOLVED that the City of Modesto will seek funds after the expiration of grant funds to continue the project until it is no longer deemed necessary.

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 Safe Streets Act and the rules and regulations of CCCJ and the Law Enforcement Assistance Administration and that cash will be appropriated as required thereby.

BE IT FURTHER RESOLVED that the grant funds received hereunder shall not be used to supplant ongoing law enforcement expenditures.

BE IT FURTHER RESOLVED that this resolution shall supersede Resolution No. 73-591 adopted on the second day of July, 1973.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the fifth day of November, 1973, by Councilman Mensinger, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-924

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF MICHAEL MASELLIS TO APPEAL THE BOARD OF ZONING ADJUSTMENT'S DENIAL OF REQUEST FOR A CONDITIONAL USE PERMIT TO PERMIT CONSTRUCTION OF A COCKTAIL LOUNGE ON WEST SIDE OF COFFEE, SOUTH OF FLOYD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 10, 1973 , 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 request of Michael Masellis to appeal the Board of Zoning Adjustment's denial of request for a Conditional Use Permit to permit construction of a cocktail lounge on west side of Coffee, south of Floyd.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November , 19 73 , by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-925

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CURBS, DRIVEWAYS AND SIDEWALK AT VARIOUS LOCATIONS NO. 3 (Harold Tuller)

WHEREAS, a report has been filed by the Director of Public Works that the construction of curbs, driveways and sidewalks at Various Locations No. 3 has been completed by Harold Tuller

in accordance with the contract agreement dated July 23, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of curbs, driveways and sidewalk at Various Locations No. 3 be accepted from said contractor, Harold Tuller

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $27,526.45 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 12th day of November, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-926

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. (STANDIFORD-TULLY NO. 1)

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 24, 1973, duly adopted Resolution No. 73-817 (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. 112 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, November 12, 1973, at the hour of 7:30 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. 112 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. 112 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. 112, 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. 112, 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 12th day of November, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

10-23-73

May 14, 1973

STANDIFORD-TULLY NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 5, the East half of Section 7, and the Northwest quarter of Section 8, 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 point on the Northern line of the FRANCEK ADDITION (150), as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, said point being the intersection of the Southern line of a 40.00 foot public road known as Standiford Avenue and the section line common to Sections 7 and 8, said section line being also the center line of a public road known as Tully Road; thence along the existing City Limits and the boundary of said ADDITION (150), North 89°28' West, 1106.01 feet; thence leaving the existing City Limits, North 1°12'20" West, 483.57 feet; thence North 88°45'45" East, 596.78 feet; thence North 0°24'59" West, 895.60 feet, to a point on the Northern boundary of the Hetch Hetchy right of way; thence along the Northern boundary of said right of way, North 69°19'52" East, 525.60 feet to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, North 1°14'15" West, 939.78 feet, to a point on the Southern line of the M.I.D. Lateral No. 6; thence along the Southern line of the M.I.D. Lateral No. 6 the following courses: South 88°50'35" East, 395.43 feet; thence along a tangent curve, concave to the North, having a Radius of 367.90 feet, a Central Angle of 15°00'35", and an Arc Length of 96.38 feet; thence North 76°08'50" East, 550.40 feet; thence along a tangent curve, concave to the Northwest, having a Radius of 367.90 feet, a Central Angle of 17°51'08", and an Arc Length of 114.63 feet; thence leaving the M.I.D. Lateral No. 6, South 39°28'40" East, 47.44 feet; thence South 63°01'40" East, 50.00 feet, to a point on the Section line common to Section 5 and Section 8; thence along said section line, South 89°39'40" East, 1398.04 feet, to a point on the Western line of the Tidewater Southern Railroad right of way; thence along said Western line of said right of way, South 1°14'20" East, 850.56 feet, to the Southeastern corner of property conveyed to Walter P. Wesson, by deed recorded March 29, 1929, as Instrument 4246, Stanislaus County Records; thence along a Southern line of said Wesson property, North 89°39'40" West, 325.00 feet, to a Southwestern corner of the Wesson property; thence along a Western line of the Wesson property, North 1°14'20" West, 150.00 feet, to a point on a Southern line of the Wesson property; thence along said last mentioned Southern line, North 89°39'40" West, 1012.16 feet, to a point on said Southern line of the Hetch Hetchy right of way; thence along the Southern line of the Hetch Hetchy right of way, South 69°19'53" West, 1345.03 feet, to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, South 1°14'15" East, 1451.46 feet, to a point on the center line of Standiford Avenue, said point being also a quarter section corner; thence along said section line and the center line of Tully Road, South 1°04' East, 20.01 feet, to the point of beginning, containing 72.064 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 November 12, 1973, 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 Councilman Simon, seconded by Councilman Elliott, and adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

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: November 13, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-927

A RESOLUTION DENYING REQUEST OF MR. BAGGESI FOR WAIVER OF SEWER LATERAL CHARGE TO HIS PROPERTY AT 1200 NORWEGIAN AVENUE

WHEREAS, at the Council meeting of October 9, 1973, Mr. Baggesi through his attorneys, Rushing and Clark, requested a waiver of his sewer lateral charge to his property at 1200 Norwegian Avenue; and

WHEREAS, the Council referred the request back to staff for report and recommendation; and

WHEREAS, the staff can find no documentation of Mr. Baggesi's participation in the construction of the sewer lateral which serves his property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby denies the request of Mr. Baggesi for waiver of sewer lateral charge to his property at 1200 Norwegian Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Davies , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Newton, Simon, Mayor Davies
NOES:	Councilmen:	Mensinger
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-928

A RESOLUTION APPROVING REQUEST OF PACIFIC GAS & ELECTRIC COMPANY TO INSTALL BRICK PAVERS IN THE SIDEWALK AREA AT THE ENTRANCE TO THEIR NEW OFFICE FACILITY AT 10TH & H STREETS

WHEREAS, Pacific Gas & Electric Company have requested permission to install brick pavers in the sidewalk area at the entrance to their new office facility at 10th and H Streets in the public sidewalk area; and

WHEREAS, the Director of Public Works in a memorandum dated November 5, 1973, has recommended approval of the request to install brick pavers, which are being proposed as an overall part of the architectural features of the new structure, in the sidewalk area at the entrance to their new office facility at 10th and H Streets in the public sidewalk area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Pacific Gas & Electric Company for permission to install brick pavers in the sidewalk area is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1973, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-929

A RESOLUTION APPROVING LETTER AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. CLEBURN CHATHAM FOR PAYMENT OF DISLOCATION ALLOWANCE AND MOVING EXPENSE IN CONNECTION WITH ACQUISITION OF PROPERTY AT 1311 LEGION PARK DRIVE FOR PARK PURPOSES (Tuolumne River Regional Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the letter agreement between the City of Modesto and Mr. Cleburn Chatham for payment of dislocation allowance and moving expense in connection with acquisition of property at 1311 Legion Park Drive for park purposes be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said letter 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 November, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-930

LETTER
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MRS. AMY AMANSON FOR PAYMENT OF DISLOCATION ALLOWANCE AND MOVING EXPENSE IN CONNECTION WITH ACQUISITION OF PROPERTY AT 1311 LEGION PARK DRIVE FOR PARK PURPOSES (Tuolumne River Regional Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto

letter
that the/agreement between the City of Modesto and Mrs. Amy Amanson

for payment of dislocation allowance and moving expense in connection with acquisition of property at 1311 Legion Park Drive for park purposes
be, and it is hereby approved.

letter
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 November, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-931

LETTER
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. CLIFFORD WISNOM FOR PAYMENT OF DISLOCATION ALLOWANCE AND MOVING EXPENSE IN CONNECTION WITH ACQUISITION OF PROPERTY AT 1311 LEGION PARK DRIVE FOR PARK PURPOSES (Tuolumne River Regional Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the letter/agreement between the City of Modesto and Mr. Clifford Wisnom for payment of dislocation allowance and moving expense in connection with acquisition of property at 1311 Legion Park Drive for park purposes be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said letter/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 November, 19 73, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-932

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND HENRY GONI FOR RENTAL OF PROPERTY, FORMERLY OWNED BY THE HOGINS, FOR AGRICULTURAL PURPOSES (Dry Creek Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Henry Goni

for rental of property, formerly owned by the Hogins, for agricultural purposes for a term ending October 30, 1974 - City to receive 15% of the gross revenue from sale of peach crop.

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said lease/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 November, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-933

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD AND MARGARET SCOTT FOR RENTAL OF PROPERTY, FORMERLY OWNED BY THE SIMS, FOR AGRICULTURAL PURPOSES (Dry Creek Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Donald and Margaret Scott for rental of property, formerly owned by the Sims, for agricultural purposes for one year ending October 31, 1974 - City to receive 15% of the revenue from the peach crop on the premises be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said lease/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 November, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-934

A RESOLUTION SUPPORTING THE STANISLAUS COUNTY DISTRICT ATTORNEY'S GRANT APPLICATION TO THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE FOR EVALUATION OF THE NARCOTICS DIVERSION PROGRAM, AND AUTHORIZING PARTICIPATION OF POLICE DEPARTMENT PERSONNEL.

WHEREAS, the Stanislaus County District Attorney is seeking a grant under the Omnibus Crime Control and Safe Street Act of 1968, as amended, to provide an in depth study of the Narcotic Diversion Program, and

WHEREAS, a grant application to the California Council on Criminal Justice has been made by the Stanislaus County District Attorney, and

WHEREAS, the Council of the City of Modesto believes it is necessary to have an evaluation of the Narcotics Diversion Program, and

WHEREAS, the Council also feels that Modesto Police Department personnel should participate in the evaluation of the Narcotics Diversion Program, which participation would consist of interviews of said personnel by the evaluator of the Narcotics Diversion Program at no cost to City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it supports the Stanislaus County District Attorney's grant application to the California Council on Criminal Justice for evaluation of the Narcotics Diversion Program.

BE IT FURTHER RESOLVED that the Council approves of participation by the Modesto Police Department personnel, which would consist of interviews of said personnel by the evaluator of the Narcotics Diversion Program, said participation being at no cost 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 12th day of November, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-935

CONCESSION

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. CHARLES V. SALES, DBA MODESTO CAB COMPANY, FOR TAXICAB SERVICE TO THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the concession/agreement between the City of Modesto and Mr. Charles V. Sales, dba Modesto Cab Company for taxicab service to the Modesto City-County Airport be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said concession/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 November, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-936

A RESOLUTION APPROVING THE FINAL MAP OF THE ELIZABETH COURT TERRACE SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Elizabeth Bernardo, Sara E. Taylor and Elveda Turner Morris

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 3.12 acres, known as the Elizabeth Court Terrace Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 18th day of January, 1972, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Elizabeth Court Terrace 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 of the Elizabeth Court Terrace Subdivision 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 in the amount of Two Thousand, Five Hundred Ninety-One and 01/100ths ($2,591.01) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 12th day of November, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-937

A RESOLUTION ACCEPTING IMPROVEMENTS IN DAISY PARK NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Norman J. Winsor and Lola Jean Winsor, husband and wife, subdividers of Daisy Park No. 2 Subdivision, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $144,000 and $72,000 respectively to guarantee improvements in Daisy Park No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated November 7, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Daisy Park No. 2 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $144,000 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $72,000 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 12th day of November, 1973, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-938

A RESOLUTION APPROVING TEMPORARY CLOSURE OF DALE ROAD AT THE HETCH HETCHY CROSSING, JUST NORTH OF RUMBLE ROAD

WHEREAS, C. I. Cunningham Company, General Contractor, doing work for the City of San Francisco on its Hetch Hetchy line, has requested permission to close Dale Road at the Hetch Hetchy crossing for a period of approximately six weeks; and

WHEREAS, the work being performed by Charles I. Cunningham Company is in conjunction with the freeway construction and involves the encasing of the Hetch Hetchy line in concrete for protection against traffic loads; and

WHEREAS, part of the contract includes the encasing of the Hetch Hetchy line across Dale Road; and

WHEREAS, the Director of Public Works in a memorandum to the City Manager dated November 8, 1973 recommends that temporary closure of Dale Road at the Hetch Hetchy crossing as requested, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Charles I. Cunningham Company for temporary closure of Dale Avenue at the Hetch Hetchy crossing, just north of Rumble Road for a period of approximately six weeks, is hereby approved, subject to the following conditions:

1. A plan for the adequate signing of the closure and the signing of detours around the construction area on existing public streets, shall be submitted to the Director of Public Works for his approval.
2. Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City of Modesto harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto, or in any way connected with the exercise of the rights granted by this permit.
3. Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

4. Permittee shall take out and maintain liability insurance in the amounts of not less than $300,000 for each person and $500,000 for each occurrence for bodily injury liability, and $100,000 for each occurrence for property damage liability, to cover any liability which may result from the granting of this permit.

5. Permittee, his successors and assigns, at the termination of the temporary closure of Dale Road at the Hetch Hetchy Crossing, shall remove all signing of the closure and all signing of the detour around the construction area on existing public streets.

The City Clerk shall furnish permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit, 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 12th day of November, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-939

A RESOLUTION ACCEPTING AVIGATION EASEMENT FROM TOWN & COUNTRY FINANCE AND THRIFT COMPANY, INC. AND EXPRESSING APPRECIATION AND THANKS FOR THEIR GENEROSITY

WHEREAS, Town & Country Finance and Thrift Company, Inc. have granted an avigation easement to the City of Modesto in order that the approach area of the Modesto City-County Airport may remain free and clear of any objects which might constitute an obstruction or hazard to the flight of aircraft in landing or taking off at the Modesto City-County Airport; and

WHEREAS, said avigation easement has been granted without cost to the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the avigation easement is hereby accepted from Town & Country Finance and Thrift Company, Inc., and the Council hereby expresses its appreciation and thanks on behalf of itself and all of the residents of the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby authorized to record said avigation easement with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1973, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-940

A RESOLUTION APPROVING PROJECT APPLICATION FOR FEDERAL AID FOR DEVELOPMENT OF PUBLIC AIRPORTS FROM UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that application for federal aid for development of public airports from the United States of America, Department of Transportation, Federal Aviation Administration, for the construction of the following projects at the Modesto City-County Airport, is hereby approved:

Runway pad overlay

Medium intensity runway lights

Clear zone land acquisition

Fire Department access Road

Tiedown Overlay Stage 3

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign the project application on behalf 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 12th day of November, 1972 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-941

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF SUNRISE NO. 1 and 2 SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-138, adopted November 6, 1973, approved the tentative map of Sunrise No. 1 and 2 Subdivision, and

WHEREAS, the approval by the Planning Commission of the tentative map of Sunrise No. 1 and 2 Subdivision was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed Sunrise No. 1 and 2 Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 12th day of November, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-942

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF HOME OWNERS TO APPEAL THE DECISION OF THE PLANNING COMMISSION'S APPROVAL OF PLOT PLAN FOR A NEIGHBORHOOD SHOPPING CENTER P-D(21), LOCATED ON THE EAST SIDE OF TULLY ROAD, SOUTH OF STANDIFORD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 10, 1973 , at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of home owners to appeal the decision of the Planning Commission's approval of plot plan for a neighborhood shopping center (P-D(21), located on the east side of Tully Road, south of Standiford Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November , 1973 , by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-943

RESOLUTION APPROVING REQUEST OF EMPIRE SANITARY DISTRICT TO ANNEX CERTAIN PROPERTY TO THE EMPIRE SANITARY DISTRICT

WHEREAS, the Empire Sanitary District has requested that it be permitted to annex property owned by Thomas and Helen Helton, 529 Church Street, Empire, California, totaling 1.29 acres, to the Empire Sanitary District; and

WHEREAS, an agreement between the City of Modesto and Empire Sanitary District dated May 19, 1969 as amended May 14, 1969 requires that the District shall receive prior consent of the City of Modesto before allowing any others to connect to the District's system.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the request of Empire Sanitary District to annex property owned by Thomas and Helen Helton, at 529 Church Street, Empire, California, totaling 1.29 acres, to the Empire Sanitary District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973 by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-944

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN McHENRY AVENUE BETWEEN NEEDHAM AND MORRIS

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

SECTION 1. The plans and specifications for installation of Waterlines in McHenry Avenue between Needham and Morris 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 11, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-945

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINES IN KEWIN PARK AND THOUSAND OAKS PARK (Parrish, Inc.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Waterlines in Kewin Park and Thousand Oaks Park has been completed by Parrish, Inc.

in accordance with the contract agreement dated August 13, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of Waterlines in Kewin Park and Thousand Oaks Park be accepted from said contractor, Parrish, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $15,039.26 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 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-946

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF FENCE AT DEL WEBB FIELD

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

SECTION 1. The plans and specifications for construction of fence at Del Webb Field

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 4, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunla p

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-947

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE FURNISHING OF ONE (1) DIESEL MOTOR GRADER

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

SECTION 1. The plans and specifications for the furnishing of one (1) Diesel Motor Grader
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 4, 1973 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-948

A RESOLUTION GRANTING A ONE HUNDRED TWENTY (120) DAY TIME EXTENSION FOR COMMENCEMENT OF CONSTRUCTION OF PHASE IV OF P-D (21) AND AMENDING RESOLUTION NO. 65-502 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D (21) (PACIFIC INVESTMENT COMPANY.)" (STONE BROTHERS, STANDIFORD AND TULLY)

WHEREAS, this Council, by Ordinance No. 748-C. S., effective October 27, 1965, granted a Planned Development Zone, P-D (21), to the Pacific Investment Company (Stone Brothers) to allow commercial, professional office, multiple-family, church, and other uses on property on the south side of Standiford Avenue and on both sides of Tully Road, and

WHEREAS, City Council Resolution No. 65-502, adopted September 13, 1965, which contains the conditions of approval, as well as the development schedule for P-D (21), specifies that construction of Phase IV of P-D (21) is to begin on or before January 1, 1974, and be completed not later than January 1, 1976, and

WHEREAS, on August 8, 1973, the Planning Department received a letter requesting a 6-month time extension for commencement of construction of Phase IV of P-D (21), and

WHEREAS, on October 16, 1973, by Resolution No. 73-120, the Planning Commission determined that granting the request for a 6-month time extension for commencement of construction of Phase IV of P-D (21) was not required by public convenience, necessity and general welfare for the following reasons:

1. The owner of P-D(21) has had over eight years since approval of the P-D to initiate commercial development on the subject corner.
2. The owners of other corner parcels at the same intersection should be given the opportunity to apply for P-D commercial zoning under the one-corner policy if the subject owner cannot perform within his time limits.

WHEREAS, an appeal to the Planning Commission decision denying a 6-month time extension for commencement of construction of Phase IV of P-D (21) has been made to the City Council of the City of Modesto, and

WHEREAS, a public hearing on said appeal was set before the City Council for November 19, 1973, at 4:00 o'clock P. M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, 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 it hereby finds and determines that a time extension of one hundred twenty (120) days for commencement of construction of Phase IV of P-D (21) should be granted

as consonant with public necessity, convenience, and general welfare for the following reasons:

1. The intersection of Tully and Standiford is still shown on the General Plan as the location of a neighborhood shopping center.

2. The developer has been delayed in commencing construction due to required environmental review.

3. The developer has been delayed in commencing construction due to an appeal from the Planning Commission approval of the plot plan for the proposed shopping center in Phase IV.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that Phase IV of Section 2, entitled "Development Schedule", of City Council Resolution No. 65-502, entitled "A Resolution Approving a Development Plan for Planned Development Zone, P-D (21). (Pacific Investment Company)", be and is hereby amended to read as follows:

> "Phase IV shall include an area of approximately 4.0 acres for a convalescent hospital or rest home on the east side of Tully Road and an area of approximately 2.7 acres for medical and professional offices on the east side of Tully Road and an area of approximately 8.0 acres for retail shopping on the east side of Tully Road and an area of approximately 1.5 acres for multiple-family on the south side of Standiford Avenue west of Tully Road, construction to begin on or before May 1, 1974, and be completed not later than January 1, 1976."

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the Planning Commission is hereby directed to hold a public hearing on all plot plans submitted for approval of all phases or portions of phases of P-D (21).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: Newton

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-949

A RESOLUTION APPROVING OFFER OF RICHARD BALL TO PURCHASE AND REMOVE SURPLUS GARAGE BUILDING LOCATED AT 1021 NORWEGIAN AVENUE

WHEREAS, property was acquired by the City of Modesto at 1021 Norwegian Avenue, for the enlargement of Revard Manor Park; and

WHEREAS, the City of Modesto has advertised the sale of a garage located on the property; and

WHEREAS, a bid of $100 has been received from Richard Ball to purchase and remove the garage from 1021 Norwegian Avenue.

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

1. The offer of Richard Ball to pay $100 for the small garage located on city-owned property at 1021 Norwegian Avenue is hereby approved.

2. The structure shall be removed by Mr. Ball within sixty (60) days after acceptance by 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 November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-950

A RESOLUTION ACKNOWLEDGING RECEIPT OF A COPY OF NOTICE OF INTENTION TO CIRCULATE A PETITION FOR THE ANNEXATION OF INHABITED TERRITORY TO THE CITY OF MODESTO (KANSAS AVENUE ADDITION) WITH ACCOMPANYING STATEMENT, AND AN AFFIDAVIT OF PUBLICATION THEREOF AND APPROVING THE CIRCULATION OF A PETITION.

WHEREAS, on November 9, 1973, there was filed with the City Clerk of the City of Modesto a copy of Notice of Intention to Circulate a Petition for the Annexation of Inhabited Territory to the City of Modesto (KANSAS AVENUE ADDITION) with accompanying statement, under the Annexation Act of 1913, as amended, together with an affidavit of publication showing that said notice and statement were published on November 8, 1973, in The Modesto Bee, and

WHEREAS, the Annexation Act of 1913, as amended, provides that the legislative body may within fifteen (15) days after such filing adopt a resolution acknowledging receipt of the notice and accompanying statement and approving the circulation of the petitions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the receipt of said notice with accompanying statement and affidavit be, and the same is hereby acknowledged, and that approval be, and is hereby given for the circulation of the petition for annexation of that certain territory designated as the KANSAS AVENUE Addition, twenty-one (21) days after the publication of said notice and statement, provided the petition contains a request that the question to be submitted to the electors residing in the territory proposed to be annexed shall be whether the territory shall be annexed to and incorporated in and made a part of the City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-951

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND EXXON CORPORATION AND ACCEPTING GRANT DEED (Needham Street Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Exxon Corporation for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-952

A RESOLUTION SETTING TIME AND PLACE FOR HEARING CONSIDERATION OF THE PROPOSED PLACEMENT OF GARDEN REFUSE IN DISPOSABLE CONTAINERS OR IN TIED BUNDLES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 28, 1974 , at 7:30 P 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 proposed placement of garden refuse in disposable containers or in tied bundles.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November , 19 73 , by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-953

A RESOLUTION ACCEPTING IMPROVEMENTS IN ELIZABETH COURT TERRACE SUBDIVISION

WHEREAS, on November 12, 1973, the final map of Elizabeth Court Terrace Subdivision was accepted by the City Council of the City of Modesto; and

WHEREAS, the Director of Public Works in a memorandum dated November 8, 1973, indicates that all improvements for said subdivision have 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 a notice of completion.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the improvements of Elizabeth Court Terrace Subdivision are hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Kullijian , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-954

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES V. AND BARBARA J. PITTMAN FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3766 McHENRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Charles V. and Barbara J. Pittman for sewer service to property outside the City at 3766 McHenry 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 November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-955

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. VIRGIL VAN SCHOONHOVEN FOR LEASE OF DWELLING IN DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mr. and Mrs. Virgil Van Schoonhoven

for lease of dwelling in Dry Creek Park (2-year lease commencing December 1, 1973 at a rental of $175 per month)

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 November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-956

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD WESLEY AND MAXINE DE LANE NUSSER FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1520 E. COOLIDGE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Donald Wesley and Maxine DeLane Nusser for sewer service to property outside the city at 1520 E. Coolidge 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 November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-957

LEASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND TRUST FUNDS, INC. FOR OPERATION OF PARKING LOT 12

BE IT HEREBY RESOLVED by the Council of the City of Modesto

lease
that the/agreement between the City of Modesto and Trust Funds, Inc.

for operation of Parking Lot 12

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said lease/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 November, 19 73, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-958

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT PLEDGE OF JOHN F. HUBER AND TO ACCEPT ANY SUBSEQUENT PLEDGES THAT MAY BE OFFERED FOR OPERATION OF PARKING LOT 12

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

1. The City Manager is hereby authorized to accept the pledge of John F. Huber in amount of $125 per month to be applied towards the cost of operation of Parking Lot No. 12, located on Ninth Street between J and K Streets.

2. BE IT FURTHER RESOLVED that the City Manager is authorized to accept any subsequent pledge which may be offered.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-959

A RESOLUTION COMMENDING VOLUNTEERS WHO ASSISTED WITH DIAL SOS (formerly Drugs SOS)

WHEREAS, in 1970 the Stanislaus Drug Abuse Coordinating Council created a 24-hour answering service for drug crisis calls and information using the name "Drugs SOS"; and

WHEREAS, in 1972 the name was changed to Dial SOS to reflect a shift in need toward people requiring all types of help; and

WHEREAS, as there has been a marked decrease in the use of Dial SOS, it has been decided that Dial SOS will be discontinued on November 30, 1973; and

WHEREAS, the success of Dial SOS has been due, in large part, to the unselfish volunteers who gave thousands of hours.

NOW, THEREFORE, BE IT RESOLVED that those volunteers who contributed so much to the success of the 24-hour answering service known as Drugs SOS or Dial SOS are hereby commended for performing a service which was greatly needed in the City of Modesto in an exemplary manner.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-960

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $375 TO PROVIDE FUNDS FOR THE PURCHASE OF AN AUGER

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

WORKING CAPITAL FUND (512)

FROM:	General Reserve (60-512)	$375.00
TO:	Auger (5452-48-512)	$375.00

(To purchase earth auger to replace the auger stolen from a City truck on September 25, 1973)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-961

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $970 TO PROVIDE ADDITIONAL FUNDS FOR THE PURCHASE OF ELECTRICAL TEST EQUIPMENT

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (60-321)	$970.00
TO:	Traffic Signal Test Equipment (6431-41-321)	$970.00

(The cost of test equipment and spare parts for the maintenance of solid state traffic signal controllers is greater than anticipated.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-962

A RESOLUTION AMENDING THE CITY OF MODESTO BUDGET FOR THE FISCAL YEAR 1973-74 TO ESTIMATE IN THE NEIGHBORHOOD YOUTH ADVISORY FUND (FUND NO. 221) ADDITIONAL FUNDS THROUGH JUNE 30, 1974.

WHEREAS, the Neighborhood Youth Advisor Program of the City of Modesto was budgeted in the 1973-74 Final Budget of the City of Modesto only through November 30, 1973, and

WHEREAS, additional monies have been made available to the Neighborhood Youth Advisor Program by the California Council on Criminal Justice and the State of California for said Program from December 1, 1973, to June 30, 1974,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the 1973-1974 Final Budget of the City of Modesto is amended to estimate in the Neighborhood Youth Advisory Fund (Fund No. 221) the additional monies available to the Neighborhood Youth Advisor Program through June 30, 1974.

CCCJ Grant	$24,015
State of California Grant	2,010

BE IT FURTHER RESOLVED that $9,651.00 be and is hereby transferred from the General Reserve (Account No. 60) of the General Fund (Fund No. 101) of the 1973-74 Final Budget of the City of Modesto to the Neighborhood Youth Advisory Fund (Fund No. 221) to meet the matching fund requirements of the agreement between the City of Modesto and the California Council on Criminal Justice.

BE IT FURTHER RESOLVED that the estimated available monies in the Neighborhood Youth Advisory Fund (Fund No. 221) are appropriated as follows:

Grant Funds:		
110-01	Salaries and Wages, CCCJ	$24,015
111-01	Salaries and Wages, State	2,010
Matching City Funds:		
110-02	Salaries and Wages	3,465
208-02	Business Expense	554
339-02	Uniform Allowance	560
411-02	Compensation Insurance	1,307
422-02	Dental Insurance	132
423-02	Group Life Insurance	32
425-02	PERS Contribution	2,981
426-02	Group Health Insurance	550
429-02	Other Special Charges	70

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 19th day of November, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Couneilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-963

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF ROB ROY PHILLIPS FROM THE BOARD OF APPEALS, DANGEROUS BUILDING CODE AND HOUSING CODE

WHEREAS, Rob Roy Phillips was appointed as a member of the Board of Appeals, Dangerous Building Code and Housing Code on July 19, 1971; and

WHEREAS, Rob Roy Phillips has tendered his resignation as a member of the Board of Appeals, Dangerous Building Code and Housing Code effective November 26, 1973; and

WHEREAS, Rob Roy Phillips has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Rob Roy Phillips as a member of the Board of Appeals, Dangerous Building Code and Housing Code is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Rob Roy Phillips 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 26th day of November, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-964

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST BY HOME OWNERS TO APPEAL THE DECISION OF THE PLANNING COMMISSION'S GRANTING A TIME EXTENSION FOR COMPLETION OF PHASE 2 OF P-D(21)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 10, 1973 , at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request by Home Owners to appeal the decision of the Planning Commision granting a time extension for completion of Phase 2 of P-D(21), Stone Brothers, on a parcel located on the southwest corner of Standiford Avenue and Tully Road, and a parcel located south of Standiford Avenue, westerly of Chancellor Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November , 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-965

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF CURBS, DRIVEWAYS AND SIDEWALKS AT VARIOUS LOCATIONS - PROJECT NO. 4

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

SECTION 1. The plans and specifications for construction of Curbs, Driveways and Sidewalks at Various Locations - Project 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 December 18, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-966

A RESOLUTION ACCEPTING THE BID OF STEINERS A-1 CONCRETE, INC. FOR REPLACEMENT OF CURB AND GUTTER AND CONSTRUCTION OF SIDEWALKS AT GRACEADA PARK

WHEREAS, Resolution No. 73-903 , adopted by the Council of the City of Modesto on November 5, 1973 , approved the plans and specifications for the replacement of Curb and Gutter and construction of Sidewalks at Graceada Park

and authorized the calling for bids, and

WHEREAS, the bids received for the replacement of Curb and Gutter and construction of Sidewalks at Graceada Park

were opened at 10:20 A.M. on November 20, 1973 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 Steiners A-1 Concrete, Inc. in the amount of $7,849.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Steiners A-1 Concrete, Inc. in the amount of $7,849.00

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 26th day of November, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-967

A RESOLUTION ACCEPTING THE BID OF MID-STATE EQUIPMENT COMPANY TO FURNISH TWO (2) 4-WHEEL DIESEL TRACTORS

WHEREAS, Resolution No. 73-893 , adopted by the Council of the City of Modesto on November 5, 1973 , approved the plans and specifications for the furnishing of two (2) 4-wheel diesel tractors

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of two (2) 4-wheel diesel tractors

were opened at 2:00 P.M. on November 20, 1973 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 Mid-State Equipment Company in the amount of $11,465.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Mid-State Equipment Company in the amount of $11,465.00

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 26th day of November, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-968

A RESOLUTION ACCEPTING THE BID OF STEINER A-1 CONCRETE, INC. FOR CONSTRUCTION OF INTERNAL WALKWAYS IN KEWIN PARK

WHEREAS, Resolution No. 73-894 , adopted by the Council of the City of Modesto on November 5, 1973 , approved the plans and specifications for the construction of Internal Walkways in Kewin Park

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Internal Walkways in Kewin Park

were opened at 10:00 A.M. on November 20, 1973 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 Steiners A-1 Concrete, Inc. in the amount of $14,200.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Steiners A-1 Concrete, Inc. in the amount of $14,200.00

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 26th day of November, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-969

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR INSTALLATION OF WATERLINES IN APPLEGATE NO. 5

WHEREAS, Resolution No. 73-895 , adopted by the Council of the City of Modesto on November 5, 1973 , approved the plans and specifications for the installation of Waterlines in Applegate No. 5

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Waterlines in Applegate No. 5

were opened at 10:10 A.M. on November 20, 1973 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 Joe Martin in the amount of $3,238.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $3,238.00

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 26th day of November, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-970

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL CO. FOR REPLACEMENT OF STREET LIGHT CIRCUIT AT STATION NO. 5

WHEREAS, Resolution No. 73-899 , adopted by the Council of the City of Modesto on November 5, 1973 , approved the plans and specifications for the replacement of street light circuit at Station No. 5

and authorized the calling for bids, and

WHEREAS, the bids received for the replacement of street light circuit at Station No. 5
were opened at 10:15 A.M. on November 20, 1973 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 $8,970.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Industrial Electrical Co. in the amount of $8,970.00

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 26th day of November, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-971

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(120). (JAMES R. CLARKE - MC HENRY AND UNION AVENUES)

WHEREAS, a verified application for an amendment to Section 8-3-9 of the Zoning Map was filed by James R. Clarke and Sylvia J. Clarke on July 16, 19 73, to prezone to Planned Development Zone, P-PD, the following described property:

All that portion of the Northeast quarter of Section 8, Township 3, South, Range 9 East, Mount Diablo Base and Meridian described as follows:

BEGINNING at the northwest corner of Parcel "C" as shown on the map filed in Volume 17 of Parcel Maps, at Page 3, Stanislaus County Records; thence South 89° 40' 25" East, along the north line of said Parcel "C", a distance of 701.81 feet to the intersection with the East line of said Section 8 and the centerline of McHenry Avenue; thence South 1° 20' 50" East, along said East line of Section 8, and the centerline of McHenry Avenue, a distance of 340.30 feet to the centerline intersection with Union Avenue; thence North 89° 40' 25" West along said centerline of Union Avenue a distance of 701.83 feet; thence North 1° 20' 40" West, a distance of 340.30 feet to the point of beginning.

CONTAINING 5.48 acres,

and

WHEREAS, after public hearing held on October 16, 1973, it was found and determined by the Planning Commission that prezoning of the property as requested is required by public necessity, convenience and general welfare because the proposed P-D Zone covers an automobile sales and service agency which has already been approved in the County and is under construction, and

WHEREAS, after a public hearing held on November 26, 19 73, the Council found and determined that the application of James R. Clarke and Sylvia J. Clarke 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. 1302 -C.S. on the 26th day of November, 1973, prezoning the above-described property to Planned Development Zone, P-PD(120).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(120), is hereby approved in accordance with the plan titled "New Oldsmobile Cadillac Dealership for Alfred Matthews, Inc." dated October 16, 1973, which said plan is on file in the office of the Planning Director, subject to the following conditions:

1. That all development be in accordance with the plot plan titled, New Oldsmobile Cadillac Dealership for Alfred Matthews, Inc." dated October 16, 1973, as amended in red on its face and on file in the office of the Planning Director.

2. That prior to the issuance of a building permit, the developer shall pay to the City of Modesto, the cost of planting 24 street trees at the prevailing rate.

3. That prior to the issuance of a building permit a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Planning Director and the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system.

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

5. That the development shall be connected to the City of Modesto water and sewer facilities in accordance with the requirements of the Director of Public Works.

6. That all parking and driveway areas shall be improved in accordance with the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

7. That the applicant shall install fire hydrants and pipeline systems therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed prior to the occupancy of the premises.

8. The developer shall dedicate the required right-of-way to make Union Avenue a 60-foot collector street and install street improvements to the City of Modesto collector street standards.

9. The developer shall dedicate the required right-of-way to make McHenry Avenue a 110-foot major street and install improvements to the City of Modesto major street standards. Pavement sections shall be as required by the State Division of Highways.

10. Street improvement plans prepared by a registered civil engineer shall be submitted to the Public Works Department for approval by the City Engineer prior to the issuance of a building permit for any development.

11. That all public improvements shall be completed by June 1, 1974.

12. That prior to the issuance of a building permit, if all required public improvements have not been installed, a cash deposit, savings and loan certificate, surety bond or other instrument of credit, in the amount to be determined by the City Engineer, shall be filed with the City Clerk to guarantee installation of public improvements by June 1, 1974.

13. That all trash shall be maintained within a building or in a fully enclosed trash area in a location approved by the Planning Director. If the trash enclosure is used, it shall be constructed of the same building materials used in the main building.

14. That any signs accessory to this development shall comply with the H-1 Zone sign provisions.

15. All disabled and wrecked vehicles shall be stored either within the buildings on the site or in an outdoor storage area for disabled and wrecked vehicles, said area:

    (a) To be approved by the Director of Planning and indicated on the plot plan.

    (b) To be totally surrounded by a 6-foot-high, view obscuring fence or building. Chain link fencing with well-maintained metal or wooden slats may be used.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(120):

That the entire construction program be accomplished in one phase, construction to begin on or before October 16, 1973, completion to be not later than October 16, 1974.

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. COMPLAINCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance 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 prezoning the above-described property to Planned Development Zone, P-PD(120) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By _____
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-972

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(118). (JOHN QUARESMA - TULLY & ROSEBURG)

WHEREAS, a verified application for an amendment to Section 20-3-9 of the Zoning Map was filed by John Quaresma on August 3, 1973, to reclassify from One-Family Residential Zone, R-1, and Multiple-Family Residential Zone, R-3, to Planned-Development Zone, P-D, the following described property:

R-1 to P-D

Part 1

All that portion of the East half of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northwest corner of the East half of the Northwest quarter of the Southwest quarter of said Section 20, and run thence East along the North line thereof, 82.5 feet, thence South parallel with the West line thereof, 166 feet; thence East parallel with the North line thereof, 82.5 feet; thence South parallel with the West line thereof, 164 feet; thence West parallel with the North line thereof 165 feet to the West line of said East half; thence North along the West line of said East half, 330 feet to the point of beginning.

Part 2

All that portion of the West half of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the northeast corner of the West half of the Northwest quarter of the Southwest quarter of said Section 20; thence South along the East line of the West half of the Northwest quarter of the Southwest quarter of said Section 20, a distance of 330 feet more or less to its point of intersection with Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of Maps, at Page 70, Stanislaus County Records, thence North 87° 56' 30" West along the North line of Lot 10 and its Easterly prolongation of said Quaresma Tract No. 1, 145 feet more or less to its intersection with the west line of that certain alley designated on the map hereinabove referred to; thence North 0° 01' 15" East along the East line of said alley a distance of 330 feet more or less to the North line of the Northwest quarter of the Southwest quarter, thence South 87° 56' 50" East, a distance of 145.09 feet more or less to the point of beginning.

Part 3

Parcel A as shown upon that certain Parcel Map filed March 6, 1967, in Volume 3 of Parcel Maps, Page 13, Stanislaus County Records; being a portion of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Including also the southerly 30 feet of Roseburg Avenue immediately adjacent to the north line of above mentioned Parcel A.

EXCEPTING THEREFROM the West 90 feet as measured along the South line of above mentioned Parcel A.

The West 90 feet, measured along the South line thereof, of Parcel A as shown upon that certain Parcel Map filed March 6, 1967 in Volume 3 of Parcel Maps, Page 13, Stanislaus County Records; being a portion of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

INCLUDING ALSO the easterly 45 feet of Tully Road immediately adjacent to the above described property.

WHEREAS, after public hearing held on October 16, 1973, 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 subject property has frontage on a major street and on a crosstown collector street allowing easy access to service centers and employment centers.

2. The requested P-D Zone would be in accordance with the Planning policy for locating low to medium density multiple-family residential land uses as established by the City Planning Commission.

3. The subject property, under a P-D Zone would allow a good neighborhood mix and transition to adjoining R-1 Zoning as called for in the General Plan.

WHEREAS, after a public hearing held on November 26, 1973, the Council found and determined that the application of John Quaresma 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. 1303 -C.S. on the 26th day of November, 1973, reclassifying the above-described property from One-Family Residential Zone, R-1, and Multiple-Family Residential Zone, R-3, to Planned-Development Zone, P-D(118),

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(118), is hereby approved in accordance with the plan titled "Proposed Planned Development at Tully Road and Roseburg Avenue", as amended in red on its face, stamped approved by the Planning Commission on October 16, 1973, and on file in the office of the Planning Director, subject to the following conditions:

1. That all development be in accordance with the plans referred to above.

2. That all parking and driveway areas be improved in accordance with the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.

3. That prior to the issuance of a building permit, the developer shall make any street dedications as required by the Director of Public Works to bring Tully Road to major street standards, Roseburg Avenue to collector street standards, Notre Dame Avenue to residential street standards, and the proposed alley adjacent to the property to City alley standards.

4. That prior to the issuance of a building permit, the developer shall submit street improvement plans prepared by a registered Civil Engineer for approval by the City Engineer.

5. That the developer shall provide full street and alley improvements on all of the above streets and alleys according to the approved plans.

6. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by both the Director of Planning and the Director of Parks and Recreation. The landscaping and irrigation systems shall be installed and maintained in accordance with the approved landscaping and irrigation plans. Irrigation shall be by underground sprinkler system.

7. That all landscaping, fences, and walls be maintained and that the premises be kept free of weeds, trash, and other debris.

8. That the development shall be connected to City water and sanitary sewer facilities in accordance with the requirements of the Director of Public Works.

9. That prior to the issuance of a building permit, the developer shall submit a plan of all fire hydrants and the pipeline system therefor for approval by the Fire Chief. The developer shall install 3 fire hydrants and the pipeline system as required by the Fire Chief.

10. That any sign accessory to this development shall comply with the P-O Zone sign provisions for the office portion of the development, the R-2 zone sign provisions for the apartments, and the R-1 Zone sign provisions for the 4 dwellings on Notre Dame Avenue.

11. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting 27 street trees.

12. That the applicant shall construct either a 6-foot high solid decorative masonry wall, a 6-foot high solid plain masonry wall, a 6-foot high redwood grapestake fence with masonry pilasters, or a 6-foot high redwood board fence with masonry pilasters along the entire southerly, easterly and southeasterly boundaries of the apartment complex as shown on the plan. A 6-foot solid decorative masonry wall shall be constructed along the easterly and southerly boundaries of the office complex parking area.

13. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

14. That building plans for the office buildings and apartments shall indicate a standard detail for adequate storage for garbage and garden refuse. Said storage areas shall be screened from view of any public street. Said plan and screening shall be subject to the approval of the Planning Director.

15. That prior to the issuance of a building permit, the applicant shall submit for approval by the Planning Director, 4 copies of a revised plot plan showing all the required changes and adjustments in design and the limitations set on the development as shown on the plot plan as amended in red and on file in the office of the Planning Director.

16. That all public improvements, including fire hydrants, shall be installed prior to occupancy of the premises or by January 31, 1977, whichever occurs first.

17. That prior to the issuance of a building permit, if all required public improvements have not been installed, a cash deposit, savings and loan certificate, surety bond or other instrument of credit in an amount to be determined by the City Engineer shall be filed with the City Clerk to guarantee installation of public improvements, including fire hydrants, by January 31, 1977, or prior to occupancy, whichever occurs first.

18. That prior to the issuance of a building permit for any development, the applicant shall apply for and obtain from the City Council an alley abandonment for that portion of the alley shown on the plot plan to be abandoned.

19. That prior to the issuance of the building permit for any development, a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(118):

> That the entire construction program be accomplished in two phases. Phase one shall include development of the one and two-story apartments and the three one-story single-family dwellings, construction to begin on or before January 31, 1976, and completion to be not later than January 31, 1977. Phase II shall include the professional office portion of the P-D, construction to begin on or before January 31, 1977 and be completed not later than January 31, 1978.

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. COMPLAINCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance 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(118) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Brielow
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 73-973

A RESOLUTION ELECTING COUNCILMAN DUNLAP AS MAYOR PRO TEMPORE AND COUNCILMAN ELLIOTT AS MAYOR PRO TEMPORE FOR THE PERIOD STARTING DECEMBER 1 AND CONTINUING UNTIL EITHER THE MAYOR OR VICE MAYOR ARE AVAILABLE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Dunlap is hereby elected as Mayor Pro Tempore and Councilman Elliott elected as Mayor Pro Tempore (in the event Mayor Pro Tempore Dunlap is absent or unable to serve), for the period starting December 1, 1973 and continuing until either the Mayor or Vice Mayor are available.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-974

LEASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND EDWARD L. EARNHART FOR LEASE OF MARK TWAIN PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto
lease
that the/agreement between the City of Modesto and Edward L. Earnhart for lease of Mark Twain Park Site (Rental of $50.00 per year)

be, and it is hereby approved.

lease
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 November, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-975

LEASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. ARNOLD C. DICKENS FOR LEASE OF THE FORMER BERRYHILL PROPERTY FOR AGRICULTURAL PURPOSES (Dry Creek Regional Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Mrs. and Mrs. Arnold C. Dickens for the former Berryhill property (property is in peaches and the City is to receive 10% of the returns from the operations) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said lease/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 November, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-976

A RESOLUTION APPROVING LEASE/AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. ARNOLD C. DICKENS FOR LEASE OF THE FORMER RIVERSIDE PARK SITE FOR AGRICULTURAL PURPOSES (Dry Creek Regional Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Mr. and Mrs. Arnold C. Dickens for the former Riverside Park site for agricultural purposes (property is in peaches and the City is to receive 10% of the returns from the operations) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said lease/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 November, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-977

A RESOLUTION ACCEPTING IMPROVEMENTS IN COFFEE PLAZA NO. 7 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Robert P. Bomberger and Muriel E. Bomberger, husband and wife, and Harley D. Brannan and Norma Brannan, husband and wife, individuals, subdividers of Coffee Plaza No. 7, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $204,000 and $102,000 respectively to guarantee improvements in Coffee Plaza No. 7 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated November 21, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Coffee Plaza No. 7 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $204,000 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $102,000 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 26th day of November, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-978

A RESOLUTION ACCEPTING IMPROVEMENTS IN COFFEE PLAZA NO. 8 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Robert P. Bomberger and Muriel E. Bomberger, husband and wife, and Harley D. Brannan and Norma Brannan, husband and wife, individuals, subdividers of Coffee Plaza No. 8 Subdivision, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $198,000 and $99,000 respectively to guarantee improvements in Coffee Plaza No. 8 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated November 21, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Coffee Plaza No. 8 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $198,000 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $98,000 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 26th day of November, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-979

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HECKENDORF PROPERTIES, INC. FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1705 CROWS LANDING ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Heckendorf Properties, Inc.
for sewer service to property outside the City at 1705 Crows Landing 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 26th day of November, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-980

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GRADY D. JR., AND EDELTRAND J. JENKINS FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 2400 ADA STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Grady D. Jr., and Edeltrand J. Jenkins for sewer service to property outside the City at 2400 Ada 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 26th day of November, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-981

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF CLEVELAND STOCKTON TO CONSTRUCT A SIX (6) FOOT HIGH MASONRY WALL IN THE STREET RIGHT OF WAY ON THE ENCINA AVENUE AND LAS PALMAS AVENUE FRONTAGES OF HIS PROPERTY AT 818 ENCINA AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 10, 1973 , at 7:40 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Cleveland Stockton to construct a six (6) foot high masonry wall in the street right of way on the Encina Avenue and Las Palmas Avenue frontages of his property at 818 Encina Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November , 1973 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-982

A RESOLUTION ACCEPTING BID OF CHUBB-PACIFIC INDEMNITY FOR FIDELITY BOND COVERAGE FOR CITY EMPLOYEES AND RESCINDING RESOLUTION NO. 73-773

WHEREAS, bids for fidelity bonds for city employees were solicited through the Modesto Insurance Agents' Association for the period September 10, 1973 through September 10, 1976; and

WHEREAS, the quotations were obtained by the Modesto Insurance Agents' Association; and

WHEREAS, the Council at its September 4, 1973 meeting approved the bid of Chubb-Pacific Indemnity in amount of $2,105 for a three-year fidelity bond package, comprising faithful performance bonds for the City Clerk/Auditor, Finance Director, Golf Professional, and Police Department employees, and an honesty blanket position bond for all other city employees; and

WHEREAS, policies have been received from the Pacific Indemnity Company as follows:

Public Employees Faithful Performance Blanket Bond	$10,000
Golf Professional Fidelity Bond	10,000
Finance Director Public Official Bond, including faithful performance	50,000
City Clerk/Auditor Public Official Bond, including faithful performance	25,000

and

WHEREAS, the Director of Finance has recommended that the faithful performance blanket bond be approved in lieu of the honesty blanket position bond, and that the premium of $2,099 (slightly less than the $2,105 previously quoted for the package approved by the Council September 4, 1973) be approved.

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

1. The fidelity bond coverage as outlined above submitted by Chubb-Pacific Indemnity is hereby approved.

2. Payment of the premium in amount of $2,099 for the three-year period is hereby approved.

3. Resolution No. 73-774 entitled "A RESOLUTION ACCEPTING BID OF CHUBB-PACIFIC INDEMNITY FOR RENEWAL OF FIDELITY BONDS FOR CITY EMPLOYEES" dated September 4, 1973 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the Following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 983

A RESOLUTION OF THE MODESTO CITY COUNCIL PROTESTING THE EXECUTION OF AN OPEN SPACE CONTRACT APPLICATION NO. 74-1617 (V. H. McREYNOLDS).

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. 74-1617, (V. H. McREYNOLDS).

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 26th day of November, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-984

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $20,000 TO PROVIDE ADDITIONAL FUNDS NEEDED FOR SERVICES IN NEW SUBDIVISIONS

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$20,000
TO:	New Services (5301-50-101)	$20,000

(A large number of new subdivisions have been developed this year. Additional money is required to provide for services in the subdivisions which are now beginning development)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-985

A RESOLUTION AUTHORIZING CITY ATTORNEY TO TAKE ANY NECESSARY LEGAL STEPS TO PROTECT CITY OF MODESTO IN CONNECTION WITH PROPOSED ENVIRONMENTAL PROTECTION AGENCY TRANSPORTATION CONTROL PLANS

BE IT RESOLVED by the Council of the City of Modesto that the City Attorney be, and hereby is, authorized to take any legal measures which he deems necessary to protect the interest of the City of Modesto in connection with the proposed Environmental Protection Agency Transportation Control Plans.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1973, By Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-986

A RESOLUTION APPOINTING GARTH LIPSKY AS CITY MANAGER, EFFECTIVE JANUARY 1, 1974

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Garth Lipsky be and he is hereby appointed City Manager of the City of Modesto, effective January 1, 1974, at a salary of $31,500 per year including reasonable moving expenses 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 26th day of November, 1973, adjourned into executive session and called back into order on November 29, 1973 at 4:00 P.M., by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mensinger, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-987

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF WARNER M. SOELLING TO APPEAL THE DECISION OF THE PLANNING COMMISSION DENYING REZONING OF PROPERTY AT THE SOUTHWEST CORNER OF BRIGGSMORE AND OAKDALE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 7, 1974, at 4:20 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Warner M. Soelling to appeal the decision of the Planning Commission denying rezoning of property at the southwest corner of Briggsmore and Oakdale Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-988

A RESOLUTION ACCEPTING THE BID OF MATTESON CONSTRUCTION CO. FOR CONSTRUCTION OF FENCE AT DEL WEBB FIELD

WHEREAS, Resolution No. 73-946 , adopted by the Council of the City of Modesto on November 19, 1973 , approved the plans and specifications for the construction of fence at Del Webb Field

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of fence at Del Webb Field

were opened at 10:00 A.M. on December 4, 1973 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 Matteson Construction Co. in the amount of $5,973.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Matteson Construction Co. in the amount of $5,973.00

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 10th day of December, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-989

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINES IN LINCOLN MANOR #1, ERIN ESTATES #2, DRAGOO PARK #2 AND EASTRIDGE #2 (Rutan Construction Co.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Waterlines in Lincoln Manor #1, Erin Estates #2, Dragoo Park #2 and Eastridge #2 has been completed by Rutan Construction Co.

in accordance with the contract agreement dated August 6, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of Waterlines in Lincoln Manor #1, Erin Estates #2, Dragoo Park #2 and Eastridge #2 be accepted from said contractor, Rutan Construction Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $19,319.97 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 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-990

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINES IN SPRINGCREEK NO. 1 (Joe Martin)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Waterlines in Springcreek No. 1

has been completed by Joe Martin

in accordance with the contract agreement dated September 11, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of Waterlines in Springcreek No. 1

be accepted from said contractor, Joe Martin

that notice of completion be filed with the Recorder of Stanis laus County and that payment of amounts due in the amount of $6,653.75 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Mcdesto held on the 10th day of December , 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-991

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN "I" STREET AND BLOCK 131

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

SECTION 1. The plans and specifications for installation of Waterlines in "I" Street and Block 131
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, 1973 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-992

A RESOLUTION MODIFYING THE DECISION OF THE PLANNING COMMISSION WHICH APPROVED A PLOT PLAN FOR A NEIGHBORHOOD SHOPPING CENTER WITHIN P-D(21) ON THE EAST SIDE OF TULLY ROAD SOUTH OF STANDIFORD AVENUE.

WHEREAS, by Ordinance No. 748-C. S. adopted by the City Council on September 13, 1965, the Council amended Sections 7-3-9 and 8-3-9 of the Zoning Map to reclassify property located on both sides of Tully Road south of Standiford Avenue to P-D(21), and

WHEREAS, said P-D(21) allows an assortment of land uses, including apartment structures, a neighborhood shopping center, a church, a convalescent hospital and professional office buildings, and

WHEREAS, at the time of the approval of said P-D(21) by the City Council, only a minimal plan was approved which showed only the uses proposed, but none of the structures, parking areas, landscaped areas, etc. and it was the intent of the Council that a detailed plot plan would be submitted to the Planning Commission prior to the commencement of construction, and

WHEREAS, the applicant is now ready to commence construction of the neighborhood shopping center portion of the fourth phase of P-D(21) on the east side of Tully Road south of Standiford Avenue and has submitted a plot plan for review, which plot plan was approved by the Planning Commission at its meeting held on October 30, 1973, by Resolution No. 73-123, and

WHEREAS, an appeal to the decision of the Planning Commission was made to the City Council of the City of Modesto, and

WHEREAS, a public hearing on said appeal was set before the City Council for December 10, 1973, at 7:35 o'clock p. m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, 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 decision of the Planning Commission approving a plot plan for the neighborhood shopping center portion of the fourth phase of P-D(21) on the east side of Tully Road south of Standiford Avenue, be and is hereby modified.

BE IT FURTHER RESOLVED that the Council hereby approves the plot plan titled, "Proposed Site Plan, Tully Manor Shopping Center" dated October 30, 1973, as amended in red on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Planning Director and the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system.

2. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash and other debris.

3. That the development shall be connected to the City of Modesto water and sewer facilities in accordance with the requirements of the Director of Public Works.

4. That all parking and driveway areas shall be improved in accordance with the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. On-site drainage must be maintained on site and must be approved by the City Engineer.

5. That the applicant shall install four fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. These hydrants shall be installed prior to occupancy of the premises.

6. That all trash for the supermarket shall be maintained within the building. That all other trash shall either be maintained within the buildings or within a solid masonry walled enclosure. Said enclosure shall be set outside the driveways and shall not be located closer than forty feet to any adjacent R-1 zoned properties. The location and design of said enclosure must be approved by the Planning Director.

7. That the supermarket shall be the first use within the center to open for business.

8. That prior to issuance of a building permit for construction of any portion of the shopping center, a parcel map shall be recorded in accordance with Chapter 4 of Title IV of the Modesto Municipal Code.

9. That prior to the issuance of a building permit the applicant shall submit street improvement plans prepared by a registered civil engineer for approval by the City Engineer.

10. The applicant shall construct improvements on Tully and Standiford to city major street requirements.

11. That one free-standing shopping center identification sign shall be permitted on each frontage as shown on the plot plan. Said free-standing signs shall not exceed the 6-foot height, 25 square foot area maximum contained in the Planning Commission's preliminary sign recommendations of April 1973. If, however, these preliminary height and size maximums are revised upward prior to final action on the sign recommendations, then the applicant can replace smaller free-standing signs with the new size signs permitted for shopping centers in C-1 zones; provided, however, that if these preliminary height and size maximums are revised upward, in no event may any such sign be erected so that it can be seen over the top of the shopping center buildings from the adjoining R-1 zoned properties on the east side of the shopping center.

12. That the 6-foot solid decorative masonry wall along the south boundary need not be constructed until January 1, 1976.

13. That the 6-foot solid decorative masonry wall along the east boundary be constructed at the same time that the supermarket is under construction, and that said wall be constructed at that time along the entire east boundary of the shopping center to the southerly end of the westerly property line of Lot 7 of Block 13129 of Tully Manor No. 2 Subdivision.

14. That all lighting shall be installed with shields to reflect the light away from adjacent R-1 zoned properties. A maximum of two lights shall be installed in the service area on the east side of the shopping center buildings in the area adjacent to the adjoining R-1 zoned properties.

15. That no operations conducted on the shopping center premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration or electrical interference detectable off the premises. All machinery or equipment located on the shopping center premises shall be soundproofed and shall not be located closer than forty feet to the eastern boundary of the shopping center site.

16. That all activities in the east side service area may be conducted only between the hours of 7:00 a.m. and 10:00 p.m. of each day.

17. That the east side service area may not be used for outside storage of any type of material.

18. That the applicant shall, at the time he constructs the supermarket building, either construct the entire service driveway along the easterly and southerly sides of the shopping center or construct a temporary paved driveway between the easterly service driveway and the parking lot or shall barricade the end of the easterly service driveway so that cars and trucks cannot drive upon or traverse unpaved portions of the shopping center site or adjacent undeveloped properties.

19. That all businesses in the shopping center may be open to the public only between the hours of 7:00 a.m. and 10:00 p.m. of each day, seven days a week, unless a use permit is obtained from the Board of Zoning Adjustment, in accordance with the provisions of Article 20 of Chapter 2 of Title X of the Modesto Municipal Code, after a public hearing, to allow one or more businesses to be open for business additional hours.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 10th day of December, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73 - 992-A

A RESOLUTION ESTABLISHING MUNICIPAL OFF-STREET PARKING LOTS IN THE CITY OF MODESTO, PROVIDING FOR CONTROL THEREON, AND RESCINDING RESOLUTION NO. 73-235.

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

SECTION 1. PARKING METER LOTS. (a) The following municipal off-street parking lots shall be controlled by parking meters:

(1)	PML-1	11th and G Street parking lot (PM-5 Zone)
(2)	PML-3	12th and I Street parking lot (southeast corner) (PM-9 Zone)
(3)	PML-4b	11th Street between H and I Streets (lower level) parking lot (PM-6 Zone)
(4)	PML-11	10th and H Street parking lot (PM-8 Zone)
(5)	PML-12	9th Street between J and K Street parking lot (PM-2 Zone)
(6)	PML-21	11th and K Street parking lot (PM-11 Zone)
(7)	PML-24	9th and J Street parking lot (PM-6 Zone)
(8)	PML-25	9th and I Street parking lot (Claremont Hotel Property) (PM-6 Zone)
(9)	PML-26	East side of 10th Street between K and L Streets (PM-6 Zone)
(10)	PML-27	Southern Pacific Depot between I and K Streets (PM-4 Zone)
(11)	PML-28	11th Street between I and J Street parking lot (PM-2 Zone)
(12)	PML-30	12th Street between J and K Streets (PM-3 Zone)
(13)	PML-32	10th Street between J and K Street parking lot (PM-2 Zone)

(b) The municipal off-street parking lots which are controlled by meters are shown on the Parking Meter Zoning Map adopted by Section 3-2.1501 of the Modesto Municipal Code. The time limits and rates of fees for parking in said parking meter zones are as set forth in Section 3-2.1504 of said Code.

SECTION 2. ATTENDANT LOTS. (a) The following municipal off-street parking lots are hereby established as attendant lots:

(1) PAL-2 — 9th Street between I and J Street parking lot

(2) PAL-4a — 11th Street between H and I Street (street level) parking lot

(3) PAL-17 — Bank of California parking lot at 12th and J Streets

(4) PAL-18 — Seely Tower parking lot at 12th and J Streets

(5) PAL-22 — Sears parking lot, 11th Street between K and L Streets

(b) Vehicular parking on said municipal off-street parking lots shall be controlled and regulated by parking attendants as follows:

(1) PAL-2 and PAL-18

From 9:00 A. M. to 9:00 P. M., Monday through Saturday

(2) PAL-4a

From 8:00 A. M. to 9:00 P. M., Monday through Saturday

(3) PAL-17

From 9:00 A. M. to 9:00 P. M. on Saturdays and bank holidays only. Attendant parking may be used on any such additional special occasions as may be deemed appropriate by the City Manager

(4) PAL-22

From 9:00 A. M. to 6:00 P. M. on Tuesdays, Wednesdays and Saturdays, and from 9:00 A. M. to 9:00 P. M. on Mondays, Thursdays and Fridays, and on such special days as may be mutually agreed upon by the Director of Parking and Traffic of the City of Modesto and Sears Roebuck and Company

(c) The rate of ten (10¢) cents 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 attendant parking lots PAL-2, PAL-4a, PAL-17, PAL-18 and PAL-22.

(d) The price for validation stamps to be used with the validation system on attendant parking lots as provided by Section 3-2.1604 of the Modesto Municipal Code shall be fifteen (15¢) cents per stamp.

(e) The rate of five (5¢) cents per hour, or fraction thereof, when validated by the Stanislaus County Clerk for parking by persons serving on trial jurys, is hereby established for said attendant parking lot PAL-2.

(f) The Director of Parking and Traffic may designate spaces in attendant parking lots for the free parking of bicycles. When appropriate signs are erected, bicycles may be parked in such areas without charge.

SECTION 3. PARKING TICKET LOTS. (a) The following municipal off-street parking lots shall be controlled by ticket dispensing devices:

(1) PTL-20	10th Street between G and H Street parking lot (Old City Hall)
(2) PTL-23	10th Street between G and H Street parking lot (Brack-Griffin)

(b) Vehicular parking on said municipal off-street parking lots PTL-20 and PTL-23, shall be controlled by means of ticket dispensing devices from 9:00 A.M. to 4:30 P.M., Monday through Saturday.

(c) The rate of twenty-five (25¢) cents per day or fraction thereof is hereby established for said parking ticket lots PTL-20 and PTL-23.

SECTION 4. FREE LOTS. The following municipal off-street parking lots shall be free lots:

(a) PL-10	8th Street between I and K Streets
(b) PL-15	Fire Station parking lot (north side)
(c) PL-16	Fire Station parking lot (south side)
(d) PL-31	Lincoln School site

SECTION 5. MONTHLY PARKING PASSES. Monthly parking passes may be authorized by the Director of Parking and Traffic on any attendant or metered lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be as follows:

PML-25	9th and I Streets Parking Lot (Claremont Hotel Property)	$ 5.00
PML-27	Southern Pacific Depot Parking Lot between I and K Streets	$ 4.00
All other attendant or metered lots		$10.00

Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking ticket lot. The charge for such passes shall be at the rate of Five and no/100ths ($5.00) Dollars per month.

SECTION 6. REPEALS. Resolution No. 73-235 adopted by the Council on March 19, 1973, is 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 December, 1973, by Councilman Dunlap, who moved its adoption, which motion being

duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-993

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

WHEREAS, a portion of the Mc Henry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Sunrise-Briggsmore Addition by Resolution No. 73-887 adopted on October 25, 1973, and said addition officially became a part of the City of Modesto on November 26, 1973, 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, THEREFORE, 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 Mc Henry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

12-6-73

SUNRISE-BRIGGSMORE ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of the Southwest quarter of Section 16, 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 FELLOWSHIP HOMES ADDITION (167), as per description filed October 5, 1964, as Instrument 39594, Stanislaus County Records, said point being on the Southern line of NORTHEAST ADDITION (78), as per description filed January 31, 1958, as Instrument 2427, Stanislaus County Records; thence along the existing City Limits on the Eastern line of said Addition (167), South 00°45' East, 684.29 feet to its intersection with a Northeastern line of the SUNRISE-GRANGER ADDITION (296), as per description filed October 6, 1972, as Instrument 14519, Stanislaus County Records; thence along the existing City Limits on the Northeastern line of said Addition (296), South 69°35' East, 636.69 feet, to a point on a Western line of said Addition (296), said point also being on the center line of a public road known as Sunrise Avenue; thence along the existing City Limits on the Western line of said Addition (296), said line also being the North-South quarter section line of said Section 16, North 00°07' East, 871.22 feet, to a point on the Southern line of the NORWEGIAN NO. 1 ADDITION (273), as per description filed July 29, 1971, as Instrument 28289, Stanislaus County Records; thence continuing along the existing City Limits on the Southern line of said Addition (273), which is also the center line of a public road known as Norwegian Avenue, North 89°31' West, 30.00 feet, to the Southwestern corner of said Addition (273); thence along the existing City Limits on the Western line of said Addition (273), North 00°46' West, 30.00 feet, to the Southeastern corner of said Northeast Addition (78), said point being on the Northern line of said Norwegian Avenue; thence continuing along the existing City Limits on the Southern line of said Addition (78), North 89°31' West, 577.05 feet, to the point of beginning, containing 10.927 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73- 994

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A MID-BLOCK CROSSWALK AT A CERTAIN LOCATION IN THE CITY OF MODESTO.

WHEREAS, it is deemed desirable to establish a mid-block crosswalk at a certain location in the City of Modesto to facilitate street crossing by pedestrians, and

WHEREAS, Section 21106 (a) of the Vehicle Code of the State of California provides that local authorities, by ordinance or resolution, may establish crosswalks between intersections,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Parking and Traffic is hereby directed to establish, designate and maintain a mid-block crosswalk as hereinafter set forth, and to designate such mid-block crosswalk by appropriate devices, marks or lines upon the surface of the roadway:

Coffee Road between Briggsmore and Spanos Court

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-995

A RESOLUTION OF THE MODESTO CITY COUNCIL PROTESTING THE EXECUTION OF AN OPEN SPACE CONTRACT APPLICATION NO. 74-1618 (Nicholas Martino)

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 74-1618 (Nicholas Martino).

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 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

PROJECT NO. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 73-996

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 January 7, 1974, 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 attached 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 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

a. Sidewalk at 1148 E. Morris Avenue, Lot 4 of Block 1006. (Vernon L. Foster $240.00)

b. Sidewalk along Kearney Avenue at 1429 Del Vista Avenue, Lot 9 of Block 918. (Iva Mae Gause $291.00)

c. Sidewalk along Rouse Avenue at 1511 Rouse Avenue, Lot 1 of Block 2088. (Robert J. Gray $241.00)

d. Sidewalk along Standiford Avenue at 3413 West Point Drive, Parcel G of Block 13017. (Glenn H. Kreger $547.00)

e. Sidewalk at 715 Sycamore Avenue, North 105.5' - 39 of Block 711. (Elaine K. McIlree $703.75)

f. Curb and sidewalk along Haddon Avenue and sidewalk along Rosina Avenue at 301 Rosina Avenue, Lot 13 of Block 2131. (Roberta J. Moore $1160.00)

g. Sidewalk along Miller Avenue at 1705 Miller Avenue, Lot 7 of Block 2132-A (Rose R. Smith $390.80)

h. Sidewalk at 905 W. Roseburg Avenue, Lot 9 of Block 6006. (Francis Stenson $232.60)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-997

A RESOLUTION AUTHORIZING THE INVESTMENT OF MONIES DEFERRED BY EMPLOYEES PURSUANT TO THE CITY OF MODESTO'S DEFERRED COMPENSATION PLAN IN THE SAME TYPES OF INVESTMENTS AS OTHER CITY MONIES.

WHEREAS, Resolution No. 72-800, adopted by the Council of the City of Modesto on June 26, 1972, establishes a Deferred Compensation Plan for the employees of the City of Modesto, and

WHEREAS, the monies deferred by employees pursuant to the city's Deferred Compensation Plan are now invested in savings and loan associations, and

WHEREAS, it is desirable to provide other means of investing the monies, deferred by employees pursuant to the city's Deferred Compensation Plan, in investments which will yield a high return, yet assure the security of said monies, and

WHEREAS, surplus city monies are invested in investments authorized by Sections 53601 and 53602 of the Government Code of the State of California, and

WHEREAS, said investments often yield a higher rate of return than is available from savings and loan associations,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that it hereby authorizes the investment of monies deferred by employees pursuant to the City of Modesto's Deferred Compensation Plan along with other city monies in investments authorized by Sections 53601 and 53602 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 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-997-A

A RESOLUTION AMENDING SECTION 2 OF RESOLUTION NO. 72-800 ENTITLED "A RESOLUTION ESTABLISHING A DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF MODESTO" AND ADDING SECTION 8 THERETO.

BE IT RESOLVED by the Council of the City of Modesto that Section 2 of Resolution No. 72-800 entitled "A Resolution Establishing A Deferred Compensation Plan For The Employees Of The City Of Modesto" be amended to read as follows:

SECTION 2. Those certain forms of agreement entitled "Deferred Compensation Agreement", a copy of which is marked Exhibit "A" and attached hereto and "Deferred Compensation Agreement (Alternate Form)", a copy of which is marked Exhibit "C" and attached hereto, are hereby approved as the forms of agreement to be entered into by and between the City of Modesto and those of its employees who hold salaried positions of employment with the city and who voluntarily elect to participate in the plan. The City Manager is hereby authorized from time to time to execute counterparts of said agreements for and on behalf of the City of Modesto.

BE IT FURTHER RESOLVED that Section 8 is hereby added to Resolution No. 72-800 entitled "A Resolution Establishing A Deferred Compensation Plan For The Employees Of The City Of Modesto" to read as follows:

SECTION 8. The Committee is hereby empowered to make the determinations regarding the investment of monies under Paragraph 2 of the Deferred Compensation Agreements referred to in Section 2 above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

(SEAL) ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

DEFERRED COMPENSATION AGREEMENT

This Agreement, entered into this _____ day of _____, 19____, 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 as determined and changed from time to time by CITY, and

WHEREAS, EMPLOYEE desires to have the payment of a portion of his salary 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

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 by CITY a salary 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 _____ to be established with _____, as Depositary. The balance of said compensation shall be paid to EMPLOYEE each bi-weekly pay period. The amount of deferred compensation and the person, firm or corporation designated as Depositary set forth in this paragraph may be changed by EMPLOYEE'S written request to the Director of Finance of CITY and the Director of Finance's written approval of said request. Provided that EMPLOYEE may designate as a Depositary only such persons, firms or corporations as CITY has contracted with to act in said capacity. Provided further that the amount of compensation so deferred, and the person, firm or corporation designated as Depositary, for the bi-weekly pay periods

Exhibit "A"

commencing in any calendar year shall be determined by such a request and approval made prior to January 1 of said calendar year, and the amount so determined and the person, firm or corporation designated as Depositary shall not be changed during said calendar year.

3. 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 and 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.

4. 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.

5. All funds and assets held in or credited to said Deferred Compensation Account, including all earnings, accumulations and increments thereon, shall be paid and distributed as hereinafter provided to EMPLOYEE or EMPLOYEE'S beneficiary, as the case may be.

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 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 shall be transferred to the other public agency to be held as provided herein.

In the event EMPLOYEE terminates services 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 8 hereof, then, CITY will distribute to EMPLOYEE the funds and assets of the Deferred Compensation Account in a lump sum or in equal monthly intstallments 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 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 property of the beneficiary at the time of the beneficiary's death and shall be distributed to the persons legally entitled thereto.

6. 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.

7. 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.

8. This Agreement shall commence upon execution hereof and shall be effective until December 31 of the same calendar year and shall be renewed automatically for additional one year periods unless either party, prior to the first day of December of any such year notifies the other party in writing that the Agreement is cancelled. 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.

9. 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 acknowledgment of receipt of said change in beneficiary.

IN WITNESS WHEREOF, the City of Modesto, a municipal corporation, has authorized the execution of this Agreement in duplicate by its City Manager 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 _____
JOHN C. KEEFE, City Manager

_____
EMPLOYEE

DEFERRED COMPENSATION AGREEMENT
(Alternate Form)

This Agreement, entered into this _____ day of _____, 19_____, 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 as determined and changed from time to time by CITY, and

WHEREAS, EMPLOYEE desires to have the payment of a portion of his salary 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

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 by CITY a salary 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, as determined by the Deferred Compensation Plan Committee of the City of Modesto, either be invested by CITY in the same types of investments as other CITY monies or be invested in a _____ to be established with a _____, as Depositary. The balance of said compensation shall be paid to EMPLOYEE each bi-weekly pay period. The amount of deferred compensation and the person, firm or corporation designated as Depositary set forth in this paragraph may be changed by EMPLOYEE'S written request to the Director of Finance of CITY and the Director of Finance's written approval of said request. Provided that EMPLOYEE may designate as a Depositary only such persons, firms or corporations as CITY has contracted with to act in said capacity. Provided further that the amount of compensation so deferred, and the person, firm or corporation designated as Depositary, for the bi-weekly pay periods

Exhibit "C"

commencing in any calendar year shall be determined by such a request and approval made prior to January 1 of said calendar year, and the amount so determined and the person, firm or corporation designated as Depositary shall not be changed during said calendar year.

3. 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 and 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.

4. 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.

5. All funds and assets held in or credited to said Deferred Compensation Account, including all earnings, accumulations and increments thereon, shall be paid and distributed as hereinafter provided to EMPLOYEE or EMPLOYEE'S beneficiary, as the case may be.

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 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 shall be transferred to the other public agency to be held as provided herein.

In the event EMPLOYEE terminates services 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 8 hereof, then, CITY will distribute to EMPLOYEE the funds and assets of the Deferred Compensation Account in a lump sum or in equal monthly intstallments 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 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 property of the beneficiary at the time of the beneficiary's death and shall be distributed to the persons legally entitled thereto.

6. 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.

7. 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.

8. This Agreement shall commence upon execution hereof and shall be effective until December 31 of the same calendar year and shall be renewed automatically for additional one year periods unless either party, prior to the first day of December of any such year notifies the other party in writing that the Agreement is cancelled. 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.

9. 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 acknowledgment of receipt of said change in beneficiary.

IN WITNESS WHEREOF, the City of Modesto, a municipal corporation, has authorized the execution of this Agreement in duplicate by its City Manager 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 _____
JOHN C. KEEFE, City Manager

_____
EMPLOYEE

MODESTO CITY COUNCIL
RESOLUTION NO. 73-998

A RESOLUTION APPROVING THE FINAL MAP OF THE HAVENBROOK PARK NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Central Valley Enterprises

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 8.28 acres, known as the HAVENBROOK PARK NO. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 5th day of June, 1973, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said HAVENBROOK PARK NO. 1 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 of the HAVENBROOK PARK NO. 1 Subdivision 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 in the amount of Five Thousand, Four Hundred Nine and 70/100ths ($5,409.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by

the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the Council of the City of Modesto hereby finds that said proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

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 10th day of December, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-999

A RESOLUTION ACCEPTING IMPROVEMENTS IN BONNIE LEE ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS AND ACCEPTING $500 BOND FOR STREET REPAIR GUARANTEE

WHEREAS, Hubert M. Brockett and Bonnie Faye Brockett, husband and wife, individuals, subdividers of Bonnie Lee Estates Subdivision, have filed subdivision improvement bonds for faithful performance in the amount of $96,700 and labor and materials for $48,350 to guarantee improvements in Bonnie Lee Estates Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated December 6, 1973 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 a notice of completion and release the bonds upon expiration of the statutory periods, subject to the developers posting a $500 bond with the City Clerk to guarantee repair of pavement failures which occur in Bonnie Lee Estates Subdivision, if failure occurs to these streets prior to September 1, 1974; and

WHEREAS, the developers have posted the required bond for $500, on file in the office of the City Clerk.

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

1. The improvements of Bonnie Lee Estates Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $96,700 upon recordation of the notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in the amount of $48,350 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 10th day of December, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1000

LETTER
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND HUBERT M. BROCKETT AND BONNIE FAYE BROCKETT TO COVER POSSIBLE PAVEMENT FAILURES IN BONNIE LEE ESTATES SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto

letter
that the/agreement between the City of Modesto and Hubert M. Brockett and Bonnie Faye Brockett

~~box~~ to cover possible pavement failures in Bonnie Lee Estates Subdivision

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said letter/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 December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1001

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTIONS 4-3-9 AND 9-3-9 OF THE ZONING MAP, TO CONSIDER REVOCATION OF PREZONING OF UNINCORPORATED TERRITORY P-P-D (75) (ELLIS)

WHEREAS, the Modesto City Planning Commission held a public hearing on November 20, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Sections 4-3-9 and 9-3-9 of the zoning map to revoke P-P-D (75) on the following described property:

Beginning at the section corner common to Sections 3, 4, 9, and 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 1° 35' 45" West along the east line of said Section 4 a distance of 961.97 feet; thence North 89° 10' 30" West a distance of 1319.90 feet to the north-south quarter quarter section line; thence South 1° 36' 45" East along said north-south quarter quarter section line a distance of 962.25 feet to the south line of said Section 4; thence South 0° 48' 43" East along the north-south quarter quarter section line of Section 9 a distance of 540.76 feet; thence South 89° 11' 10" East a distance of 1319.50 feet to the east line of said Section 9; thence North 0° 48' West along said east line of Section 9 a distance of 540.76 feet to the point of beginning.

Containing 45.498 Acres Gross

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-148 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Sections 4-3-9 and 9-3-9 of the Zoning Map be set for January 7, 1974 at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1002

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 6-4-9 TO CONSIDER THE PROPOSED REVOCATION OF PREZONING OF UNINCORPORATED TERRITORY, P-P-D (94) (The Brittany, Paradise Road)

WHEREAS, the Modesto City Planning Commission held a public hearing on November 20, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 6-4-9 to repeal the prezoning of unincorporated territory, P-P-D (94)

the following described property:

All of Parcels No. 1 and No. 2 as shown and designated on that certain Parcel Map filed in the Office of the County Recorded of Stanislaus County, California on February 25, 1966 in Volume 1 of Parcel Maps, Page 63, and being a portion of the northwest quarter of the northeast quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian.

Including also the southerly 25 feet of Paradise Road immediately adjacent to said Parcel No. 1 and the northerly 15 feet of Rouse Avenue immediately adjacent to Parcel No. 2.

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-146 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 6-4-9 of the Zoning Map be set for Monday, January 7, 1974 at 4:05 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1003

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 32-3-9 OF THE ZONING MAP TO REVOKE P-D (100) AND REZONE TO R-3 (O.B. PHILLIPS)

WHEREAS, the Modesto City Planning Commission held a public hearing on November 20, 1973 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 32-3-9, revoking Planned Development Zone, P-D (100) and rezoning said parcel to Multiple-Family Residential Zone, R-3, the following described property:

See exhibit "A" attached

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-147 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 32-3-9 of the Zoning Map be set for Monday, January 14, 1974 at 4:10 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December , 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

All that portion of Block 306, and of Block 307, and of Tuolumne Boulevard and of Center Street and alley as said blocks, boulevard, street and alley are shown on the official map of the City of Modesto, as per map thereof filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, said portions lying within the following described boundaries:

BEGINNING at the intersection of the centerline of Calaveras Avenue (70.0 feet in width) with the easterly prolongation of the northerly line of Lot 27 in said Block 306; thence along said centerline the following two courses: (1) South 0° 21' 24" East, 87.07 feet; and (2) South 42° 50' 00" East, 166.0 feet to the Northerly line of said Tuolumne Boulevard; thence (3) along last said Northerly line South 47° 10' West 35.00 feet to the intersection of the Westerly line of said Calaveras Avenue with last said Northerly line; thence (4) along the prolongation of said Westerly line South 42° 50' East, 85.48 feet; thence (5) South 47° 17' 45" West, 48.03 feet; thence (6) North 88° 02' 18" West, 151.54 feet; thence (7) North 51° 47' 31" West, 80.56 feet; thence (8) North 11° 45' 31" West, 268.36 feet; thence (9) North 08° 18' 35" West 14.88 feet to said Northerly line of Lot 27; thence along last said Northerly line and its Easterly prolongation South 88° 21' 41" East, 161.10 feet to the point of beginning.

EXHIBIT "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1004

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTIONS 9-3-9 AND 10-3-9 OF THE ZONING MAP, REVOCATION OF P-P-D 48, 49, 50, 52, 54, 55, 56, 57, 58 to ONE-FAMILY RESIDENTIAL, R-1 (Berberian)

WHEREAS, the Modesto City Planning Commission held a public hearing on November 20, 1973 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Sections 9-3-9 and 10-3-9 of the zoning map From P- -D 48, 49, 50, 52, 54, 55, 56, 57, 58 to one-family residential, R-1 the following described property:

See Exhibit "A" attached

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-144 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Sections 9-3-9 and 10-3-9 of the Zoning Map be set for Monday, January 7, 1974 at 4:15 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December , 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

P-D(48)

Parcel 2

All that portion of the northeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the east quarter section corner of said Section 9; thence North 0° 48' 00" West along the east line of said Section 9 a distance of 225.00 feet to the true point of beginning of this description; thence continuing North 0° 48' 00" West along said east line of Section 9 a distance of 355.00 feet; thence South 89° 12' 00" West a distance of 280.00 feet; thence along a curve concave to the north, through a central angle of 4° 36' 33" having a radius of 1000.0 feet, a curve distance of 80.44 feet; thence South 0° 39' West a distance of 573.93 feet to the east-west quarter section line of the aforementioned Section 9; thence South 89° 21' 00" East along said east-west quarter section line a distance of 150.00 feet, thence North 0° 39' East a distance of 219.38 feet; thence North 89° 12' East a distance of 219.38 feet to the point of beginning.

Containing 3.725 acres gross. Excepting that portion rezoned to P-D(107).

P-D(49)

Parcel 3

All that portion of the northeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the east quarter section corner of said Section 9; thence North 89° 21' West along the east-west quarter section line of said Section 9 a distance of 789.00 feet to the true point of beginning of this description; thence continuing North 89° 21' West along said east-west quarter section line of Section 9 a distance of 530.12 feet to the north-south quarter quarter section line of said Section 9; thence North 0° 49' West along said north-south quarter quarter section line a distance of 200.06 feet; thence South 89° 21' East parallel to and 200.00 feet distant northerly at right angles from the aforementioned east-west quarter section line a distance of 535.24 feet; thence South 0° 39' West a distance of 200.00 feet to the true point of beginning.

Containing 2.446 acres gross.

P-D(50)

Parcel 4

All that portion of the northeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the east quarter section corner of said Section 9; thence North 89° 21' West along the east-west quarter section line of said Section 9 a distance of 375.00 feet to the true point of beginning of this description; thence North 0° 39' East a distance of 573.93 feet; thence in a westerly direction along a curve concave to the north, through a central angle of 6° 54' 43", having a radius of 1000.00 feet, a curve distance of 120.64 feet; thence South 10° 43' 16" West a distance of 87.97 feet; thence in a southerly direction along a curve concave to the east, through a central angle of 10° 04' 16", having a radius of 250.00 feet, a curve distance of 43.94 feet; thence South 0° 39' West a distance of 257.48 feet; thence North 89° 21' West a distance of 275.00 feet; thence South 0° 39'

Exhibit "A"

West a distance of 200.00 feet to the aforementioned east-west quarter section line of Section 9; thence South 89° 21' East along said east-west quarter section line a distance of 414.00 feet to the point of beginning.

Containing 3.091 acres gross. Excepting that portion rezoned to P-D(107).

P-D(52)

Parcel 6

All that portion of the northeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the east quarter section corner of said Section 9; thence North 0° 48' West along the east line of said Section 9 a distance of 580.00 feet to the true point of beginning of this description, thence continuing North 0° 48' West along said east line of Section 9 a distance of 737.60 feet to the east-west quarter quarter section line of said Section 9; thence North 89° 16' 00" West along said east-west quarter quarter section line of Section 9 a distance of 220.08 feet; thence South 0° 48' East parallel to and 220.00 feet distant westerly at right angles from the aforementioned east line of Section 9 a distance of 743.49 feet; thence North 89° 12' East a distance of 220.00 feet to the point of beginning.

Containing 3.740 acres gross.

P-D(54)

Parcel B

All that portion of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the west quarter corner of said Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 0° 48' 00" West along the west line of said Section 10, a distance of 580.00 feet to the true point of beginning of this description, thence continuing North 0° 48' 00" West along said West line of Section 10 a distance of 476.00 feet; thence North 89° 23' 52" East a distance of 275.94 feet; thence in a southeasterly direction along a curve concave to the southwest, through a central angle of 42° 06' 42", having a radius of 250.00 feet, a curve length of 183.75; thence South 48° 29' 26" East a distance of 122.22 feet; thence at right angles South 41° 30' 34" West a distance of 332.57 feet; thence along a curve concave to the northwest, through a central angle of 47° 41' 26", having a radius of 250.00 feet, a curve distance of 208.09 feet; thence South 89° 12' West a distance of 125.00 feet to the point of beginning.

Containing 4.366 acres gross.

Parcel C

All that portion of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the west quarter corner of said Section 10; thence North 0° 48' 00" West along the west line of said Section 10 a distance of 580.00 feet; thence North 89° 12' 00" East a distance of 125.00 feet; thence along a curve concave to the northwest, through a central angle of 47° 41' 26" having a radius of 250.00 feet, a curve length of 208.09 feet; thence North 41° 30' 34" East a distance of 192.57 feet to the true point of beginning of this description; thence continuing North 41° 30' 34" East a distance of 140.00 feet; thence South 48° 29' 26" East, a distance of 508.70 feet; thence South 41° 30' 34" West a distance of 140.00 feet; thence North 48° 29' 26" West, a distance of 508.70 feet to the point of beginning.

Containing 1.635 acres gross.

P-D(56)

Parcel D

All that portion of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the west quarter corner of said Section 10, thence North 89° 26' 27" East along the east-west quarter section line of said Section 10 a distance of 580.00 feet to the true point of beginning of this description; thence North 0° 33' 33" West a distance of 110.00 feet; thence along a curve concave to the southeast having a radius of 250.00 feet, a central angle of 42° 04' 07", and a curve length of 183.56 feet; thence North 41° 30' 34" East a distance of 392.74 feet; thence South 48° 29' 26" East a distance of 357.49 feet; thence along a curve concave to the southwest through a central angle of 47° 37' 06" having a radius of 250.00 feet, a curve length of 207.77 feet; thence South 0° 52' 20" East a distance of 145.31 feet to the aforementioned east-west quarter section line; thence South 89° 26' 27" West along said east-west quarter section line a distance of 676.22 feet to the point of beginning of this description.

Containing 6.144 acres gross.

P-D(57)

Parcel E

All that portian of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the west quarter corner of said Section 10; thence North 0° 48' 00" West along the west line of said Section 10 a distance of 580.00 feet; thence North 89° 12' 00" East a distance of 125.00 feet; thence along a curve concave to the northwest, through a central angle of 47° 41' 26", having a radius of 250.00 feet, a curve length of 208.09 feet; thence North 41° 30' 34" East a distance of 332.57 feet to the true point of beginning of this description; thence continuing North 41° 30' 34" East a distance of 165.00 feet; thence South 48° 29' 26" East a distance of 766.35 feet; thence in a southerly direction along a curve concave to the northwest, through a central angle of 7° 51' 48", having a radius of 250.00 feet, a curve distance of 34.31 feet; thence South 41° 30' 34" West a distance of 130.80 feet; thence North 48° 29' 26" West a distance of 768.70 feet to the point of beginning.

Containing 2.911 acres gross.

Parcel F

All that portion of the northwest quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the west quarter corner of said Section 10; thence North 0° 48' West along the west line of said Section 10 a distance of 1056.00 feet to the true point of beginning of this description; thence continuing North 0° 48' West along said west line of Section 10 a distance of 140.00 feet; thence North 89° 23' 52" East a distance of 330.00 feet; thence South 80° 23' 31" East a distance of 104.65 feet; thence South 64° 29' 26" East a distance of 125.00 feet; thence

South 48° 29' 26" East a distance of 135.00 feet; thence South 41° 30' 34" West a distance of 165.00 feet; thence North 48° 29' 26" West a distance of 122.22 feet; thence along a curve concave to the southwest, through a central angle of 42° 06' 42", having a radius of 250.00 feet, a curve distance of 183.75 feet; thence South 89° 23' 52" West a distance of 275.94 feet to the point of beginning.

Containing 2.701 acres gross.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1005

A RESOLUTION SETTING TIME AND PLACE FOR HEARING RECOMMENDATION OF THE PLANNING COMMISSION FOR THE ADOPTION OF A SPECIFIC PLAN FOR VENEMAN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 14, 1974 , at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of recommendation of the Planning Commission for the adoption of a specific plan for Veneman Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December , 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1006

A RESOLUTION FINDING THAT THE TENTATIVE MAP OF ORANGEBURG ACRES SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS OF THE CITY OF MODESTO.

WHEREAS, the Planning Commission of the City of Modesto has by Resolution No. 73-154, adopted December 4, 19 73, approved the tentative map of Orangeburg Acres Subdivision, and

WHEREAS, the approval by the Planning Commission of the tentative map of Orangeburg Acres Subdivision was conditioned upon a finding by this Council that said proposed subdivision, together with the provisions for the subdivision's design and improvement, is consistent with applicable general and specific plans of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed Orangeburg Acres Subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans 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 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

CA Form
7/21/72

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1007

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $20,000 TO PROVIDE FUNDS NEEDED FOR MODIFICATION TO THE WOODLAND AVENUE SEWAGE LIFT STATION

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

SEWER SERVICE FUND (212)

FROM:	General Reserve (60-212)	$20,000
TO:	Woodland Avenue Sewage Lift Station, Modification of (6598-212)	$20,000

(For modification to the Woodland Avenue Sewage Lift Station. See memo dated December 3, 1973)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1008

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $24,000 TO PROVIDE FUNDS FOR SALARIES UNDER THE NEW NEIGHBORHOOD YOUTH ADVISORY GRANT

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

GENERAL FUND (101)

FROM:	Salaries & Wages, Regular (110-22-101)	$24,000
TO:	General Reserve (60-101)	$24,000

(Salaries budgeted for seven months for four officers are now being paid under the new Neighborhood Youth Advisory Grant approved for December 1, 1973, through June 30, 1974)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1009

A RESOLUTION AUTHORIZING ACQUISITION OF REAL PROPERTY FROM HAROLD L. GOODMAN AND VAUNDA I. GOODMAN, HIS WIFE; VAUNDA L. GOODMAN, AS TRUSTEE UNDER THE WILL OF MAXINE O. GOODMAN, DECEASED; AND ROY D. GOODMAN.

WHEREAS, the City of Modesto and the County of Stanislaus entered into an agreement dated June 15, 1970, with Harold L. Goodman and Vaunda I. Goodman, his wife, Vaunda I. Goodman, as Executrix of the Estate of Maxine O. Goodman and Roy D. Goodman regarding certain real property, and

WHEREAS, pursuant to said agreement the City of Modesto and County of Stanislaus have the right to exercise certain options to purchase parcels of said real property, and

WHEREAS, the City of Modesto and County of Stanislaus desire to exercise their right to purchase one of said parcels,

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

1. That the City of Modesto jointly with the County of Stanislaus purchase from Harold L. Goodman and Vaunda I. Goodman, his wife; Vaunda I. Goodman, as Trustee under the Will of Maxine O. Goodman, deceased; and Roy D. Goodman, the real property hereinafter described for the purchase price of Fifty-Five Thousand, Three Hundred Forty-Eight and 60/100ths ($55,348.60) Dollars, the City of Modesto and the County of Stanislaus each to pay Twenty-Seven Thousand, Six Hundred Seventy-Four and 36/100ths ($27,674.36) Dollars of said total purchase price.

2. That the real property to be acquired is described as follows:

Parcel D as shown on that certain Parcel Map filed July 20, 1970, in Book 9 of Parcel Maps, page 44, Stanislaus County Records; being a portion of Section 3, Township 4 South, Range 10 East, M. D. B. & M., and Section 34 Township 3 South, Range 10 East, M. D. B. & M.

3. That said real property shall be purchased in accordance with the terms and conditions set forth in Paragraph 5 of the agreement dated June 15, 1970, entered into by the City of Modesto and the County of Stanislaus with Harold L. Goodman and Vaunda I. Goodman, his wife, Vaunda I. Goodman, as Executrix of the Estate of Maxine O. Goodman and Roy D. Goodman regarding certain real property.

4. That pursuant to the provisions of Paragraph 7 of that certain agreement dated August 17, 1970, entered into by and between the City of Modesto and the County of Stanislaus relating to the administration, development and operation of a sanitary landfill, the City Council hereby authorizes the use of money accumulated in the Geer Road Sanitary Landfill Enterprise Fund to pay the purchase price for said real property in equal shares, for both the City of Modesto's and the County of Stanislaus' interest in said real property.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 11th day of December, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Kullijian, Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By Ross Campbell
Public Works Department
12-6-73

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1010

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF MACL DEVELOPMENT TO APPEAL AN ADMINISTRATIVE DECISION REGARDING LANDSCAPING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 26, 1973 , 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 request of MACL Development to appeal an administartive decision regarding landscaping.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December , 1973 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1011

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF CLEVELAND STOCKTON TO APPEAL THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING A VARIANCE FOR A SIX-FOOT FENCE AT 818 ENCINA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 7, 1974 , at 4:25 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of request of Cleveland Stockton to appeal the decision of the Board of Zoning Adjustment denying a variance for a six-foot fence at 818 Encina.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December , 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1012

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $5,500 TO PROVIDE FUNDS FOR IMPLEMENTING THE COMMUTER BUS PASS PROGRAM

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

DOWNTOWN IMPROVEMENT DISTRICT AREA A FUND (218)

FROM:	General Reserve (60-218)	$5,500
TO:	Business Promotion (237-218)	$5,500

(Money to be set aside for implementing the Commuter Bus Pass Program, $5,000 for the Bus subsidy portion and $500 for promotion)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1013

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF EARL C. EGOLF FROM THE MODESTO DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD

WHEREAS, Earl C. Egolf was appointed as a member of the Modesto Downtown Improvement District Advisory Board on July 7, 1969 and reappointed on May 24, 1971; and

WHEREAS, Earl C. Egolf has tendered his resignation as a member of the Modesto Downtown Improvement District Advisory Board effective December 17, 1973; and

WHEREAS, Earl C. Egolf has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Earl C. Egolf as a member of the Modesto Downtown Improvement District Advisory Board is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Earl C. Egolf 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 17th day of December, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1014

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING AUTOMOTIVE EQUIPMENT, 21 PATROL CARS, 4 SEDANS, 4 PICKUPS OR CHASSIS AND 9 LARGE TRUCKS OR CHASSIS

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

SECTION 1. The plans and specifications for furnishing automotive equipment, 21 patrol cars, 4 sedans, 4 pickups or chassis and 9 large trucks or chassis 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 15, 1974 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1015

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF PIPE FOR WATER WORKS BEGINNING FEBRUARY 1, 1974

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

SECTION 1. The plans and specifications for furnishing annual requirements of pipe for water works beginning February 1, 1974 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 8, 1974 at 2:45 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1016

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATERLINES IN MARTIN AVE., CLAYTON AVE., BLUE GUM, AND CARPENTER ROAD

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

SECTION 1. The plans and specifications for installation of waterlines in Martin Ave., Clayton Ave., Blue Gum, and Carpenter Road 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 8, 1974 at 10:00 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 at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1016-A

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SOUTHERN PACIFIC TRANSPORTATION CO. TO ALLOW CITY OF MODESTO TO CONSTRUCT A TEN INCH WATER PIPE LINE BENEATH THE TRACKS OF THE RAILROAD at MP-110.91 IN BLUE GUM AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Southern Pacific Transportation Co.

~~for~~ to allow City of Modesto to construct a ten-inch water pipe line beneath the tracks of the railroad at MP-110.91 in Blue Gum 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 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1017

A RESOLUTION ACCEPTING THE BID OF R. M. HAUGEN & SONS FOR THE INSTALLATION OF WATERLINES IN McHENRY AVENUE BETWEEN NEEDHAM AND MORRIS

WHEREAS, Resolution No. 73-944 , adopted by the Council of the City of Modesto on November 19, 1973 , approved the plans and specifications for the installation of waterlines in McHenry Avenue between Needham and Morris
and authorized the calling for bids, and

WHEREAS, the bids received for the installation of waterlines in McHenry Avenue between Needham and Morris
were opened at 10:00 A.M. on December 11, 1973 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 R. M. Haugen & Sons in the amount of $23,835.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of R. M. Haugen & Sons in the amount of $23,835.00

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 17th day of December, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1018

A RESOLUTION ACCEPTING THE BID OF RICKER MACHINERY CO. TO FURNISH TWO, 4-WHEEL, TWIN DIESEL ENGINED STREET SWEEPERS

WHEREAS, Resolution No. 73-892 , adopted by the Council of the City of Modesto on November 5, 1973 , approved the plans and specifications for the furnishing of two, 4-wheel, twin diesa engined street sweepers
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of two, 4-wheel, twin diesel engined street sweepers
were opened at 2:15 P.M. on November 20, 1973 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 Ricker Machinery Co. in the amount of $52,534.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Ricker Machinery Co. in the amount of $52,534.00

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 17th day of December, 19 73 , by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1019

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-ROSE ADDITION)

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 November 5, 19 73, duly adopted Resolution No. 73-905 (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. 113 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Monday, December 17, 19 73, 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. 113 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. 113 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. 113, 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. 113, 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 17th day of December, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

RAM 11-6-73

Revised 10-16-73

SCENIC-ROSE NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 27, 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 Southern line of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records, said Southern line being the center line of 50.00 foot Scenic Drive, said point also being the intersection of a line which is parallel with and 29.04 feet, measured at right angles, Easterly from the North-South quarter section line of said Section 27; thence along the existing City Limits on the Southern boundary of said Addition (226) and said center line of Scenic Drive, North 73°46'45" East, 650.60 feet to the Northeastern corner of Parcel I as described in the Decree of Distribution to Matilda Dedini, et al, recorded September 15, 1967, as Instrument 29128, Stanislaus County Records; thence leaving the existing City Limits and along the Eastern line of said Dedini property, South 00°36'00" East, 451.83 feet, to the center line of Dry Creek; thence Southwesterly along the center line of Dry Creek the following courses, South 53°50'45" West, 314.34 feet; South 61°36'43" West, 133.83 feet; South 72°48'01" West, 112.04 feet; South 61°38'29" West, 111.35 feet; South 72°53'00" West, 49.09 feet, to a point on the above mentioned line parallel with and 29.04 feet Easterly from the North-South quarter section line of Section 27; thence along said parallel line, North 00°33'03" West, 619.63 feet, to the point of beginning, containing 8.049 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 December 17, 1973, 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 Councilman Elliott, seconded by Councilman Dunlap, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: 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: December 18, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1020

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. (FINCH NO. 1 ADDITION)

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 November 5, 19 73, duly adopted Resolution No. 73-906 (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. 114 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Monday, December 17, 19 73, at the hour of 4:05 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. 114 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. 114 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. 114, 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. 114, 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 17th day of December, 1973, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

R.H.
11-8-73

FINCH NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 35, Township 3 South, Range 9 East, and the Northeast quarter of Section 2, Township 4 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 line of the AIRPORT NO. 2 ADDITION (217), as per description filed July 12, 1968, as Instrument 21316, Stanislaus County Records, said point being the intersection of the Southwestern line of a 100.00 foot public road known as East Modesto Road and the section line common to said Sections 2 and 35; thence along said Southwestern line of East Modesto Road, North 55° 55' 00" West, 62.77 feet, to its intersection with the Westerly prolongation of the center line of a 70.00 foot public road known as Finch Road; thence along said center line of Finch Road and its Westerly prolongation, South 89° 48' 12" East, 1109.53 feet; thence South 1° 03' 38" East, 573.09 feet, to a point on the Northeastern line of a 200.00 foot public road known as East Modesto Road; thence South 34° 05' 00" West, 200.00 feet, to the Southwestern line of said East Modesto Road and a point on a Northeastern line of said Addition (217); thence along the existing City Limits on said Northeastern line of Addition (217), North 55° 55' 00" West, 1262.62 feet, to a point on said section line common to Sections 2 and 35; thence along the section line common to Sections 2 and 35, South 89° 48' 12" East, 89.68 feet, to the point of beginning, containing 10.857 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 December 17, 1973, 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 Councilman Newton, seconded by Councilman Dunlap, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: 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: December 18, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1021

A RESOLUTION DENYING THE APPEAL OF MICHAEL MASELLIS TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING A CONDITIONAL USE PERMIT IN THE H-1 ZONE TO ALLOW CONSTRUCTION OF A COCKTAIL LOUNGE ON THE WEST SIDE OF COFFEE ROAD SOUTH OF FLOYD AVENUE, AND AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, an application for a conditional use permit in an H-1 zone to allow construction of a cocktail lounge on the west side of Coffee Road south of Floyd Avenue was filed with the Board of Zoning Adjustment by Michael Masellis on September 6, 1973, and

WHEREAS, a public hearing was held on said application by the Board of Zoning Adjustment on October 25, 1973, at which time by Resolution No. 494 it was found and determined that a conditional use permit in an H-1 zone to allow construction of a cocktail lounge on the west side of Coffee Road south of Floyd Avenue was not required by public necessity, convenience and general welfare, and denied said application for the following reasons:

1. The subject property backs up directly to the rear yards of single-family residential properties with no alley separation resulting in incompatible land uses too close to one another.

2. The subject property is located in proximity of 3 schools which generate considerable student foot traffic in the vicinity of the proposed cocktail lounge as stated by a representative of the Sylvan School Board.

3. With off-street parking for late night use not desirable to the rear of the proposed cocktail lounge, the site does not appear large enough to accommodate the required off-street parking.

WHEREAS, on November 2, 1973, the applicant filed an appeal to the decision of the Board of Zoning Adjustment and requested a public hearing thereon before the City Council, and

WHEREAS, a public hearing was set before the Council of the City of Modesto on December 10, 1973, at the hour of 7:30 o'clock p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, which hearing was continued to December 17, 1973, at the hour of 4:10 o'clock p.m., and

WHEREAS, said public hearing was held at the above times and place, and evidence, both oral and documentary, was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby denies the appeal of Michael Masellis to the decision of the Board of Zoning Adjustment denying a conditional use permit in an H-1 zone to allow construction of a cocktail lounge on the west side of Coffee Road south of Floyd Avenue, and the decision of the Board of Zoning Adjustment is hereby affirmed for the reasons set forth above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1022

A RESOLUTION DENYING THE APPEAL TO THE DECISION OF THE PLANNING COMMISSION GRANTING A TIME EXTENSION OF TWO YEARS FOR COMPLETION OF CONSTRUCTION OF PHASE II OF P-D(21). (STONE BROTHERS - STANDIFORD AND TULLY)

WHEREAS, the City Council by Ordinance No. 748-C. S. effective October 27, 1965, granted P-D(21) to the Pacific Investment Company (Stone Brothers) to allow commercial, professional office, multiple-family, church and other uses on property on the south side of Standiford Avenue and on both sides of Tully Road, and

WHEREAS, City Council Resolution No. 65-502 adopted on September 13, 1965, approved the development plan and schedule for P-D(21), and specified that construction was to be accomplished in four phases which covered a six-year development program, with Phase II to begin by January 1, 1972, and to be completed not later than January 1, 1974, and

WHEREAS, construction of Phase II has been commenced as specified in City Council Resolution No. 65-502, and

WHEREAS, on November 6, 1973, a request for a two-year time extension for completion of Phase II was considered by the Planning Commission, and

WHEREAS, the Planning Commission by Resolution No. 73-137 granted a two-year time extension for completion of Phase II with construction thereof to be completed not later than January 1, 1976, inasmuch as good cause had been shown by the applicant of its inability to complete the construction program as outlined in Phase II contained in City Council Recolution No. 65-502, and

WHEREAS, an appeal to the Planning Commission decision granting a two-year time extension for completion of construction of Phase II of P-D(21) has been made to the City Council of the City of Modesto, and

WHEREAS, a public hearing on said appeal was set before the City Council for December 10, 1973, at 7:35 o'clock p. m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time said hearing was continued to December 17, 1973, at 4:10 o'clock p. m., and

WHEREAS, at said continued hearing on December 17, 1973, evidence, both oral and documentary was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the requested two-year time extension for completion of construction of Phase II of P-D(21) should be granted as consonant with public necessity, convenience, and general welfare for the reason that good cause has been shown of the inability to complete the construction program as outlined in Phase II contained in City Council Resolution No. 65-502.

BE IT FURTHER RESOLVED by the Council that the appeal to the decision of the Planning Commission granting a two-year time extension to January 1, 1976, for completion of construction of Phase II of P-D(21) be denied, and the decision of the Planning Commission is affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1023

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HOMER W. AND RUTH C. JORGENSEN FOR ACQUISITION OF CLEAR ZONE AVIGATION EASEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Homer W. and Ruth C. Jorgensen

for acquisition of Clear Zone Avigation Easement

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 December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1024

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE SALIDA FIRE PROTECTION DISTRICT AND THE WOODLAND FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY AND RESCINDING RESOLUTION NO. 73-818.

WHEREAS, a portion of the Salida Fire Protection District and the Woodland Fire Protection District in Stanislaus County was annexed to the City of Modesto as Standiford-Tully No. 1 Addition by Ordinance No. 1286-C.S. adopted on August 20, 1973, and said addition officially became a part of the City of Modesto on August 28, 1973, 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 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 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 Salida Fire Protection District and the Woodland Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1973.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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.

BE IT FURTHER RESOLVED that Resolution No. 73-818 adopted by the Council of the City of Modesto on September 24, 1973 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

RHH 12-12-73

STANDIFORD-TULLY NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 5, the East half of Section 7, and the Northwest quarter of Section 8, 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 point on the Northern line of the FRANCEK ADDITION (150), as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, said point being the intersection of the Southern line of a 40.00 foot public road known as Standiford Avenue and the section line common to Sections 7 and 8, said section line being also the center line of a public road known as Tully Road; thence along the existing City Limits and the boundary of said ADDITION (150), North 89°28' West, 1106.01 feet; thence leaving the existing City Limits, North 1°12'20" West, 483.57 feet; thence North 88°45'45" East, 596.78 feet; thence North 0°24'59" West, 895.60 feet, to a point on the Northern boundary of the Hetch Hetchy right of way; thence along the Northern boundary of said right of way, North 69°19'52" East, 525.60 feet to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, North 1°14'15" West, 939.78 feet, to a point on the Southern line of the M.I.D. Lateral No. 6; thence along the Southern line of the M.I.D. Lateral No. 6 the following courses: South 88°50'35" East, 395.43 feet; thence along a tangent curve, concave to the North, having a Radius of 367.90 feet, a Central Angle of 15°00'35", and an Arc Length of 96.38 feet; thence North 76°08'50" East, 550.40 feet; thence along a tangent curve, concave to the Northwest, having a Radius of 367.90 feet, a Central Angle of 17°51'08", and an Arc Length of 114.63 feet; thence leaving the M.I.D. Lateral No. 6, South 39°28'40" East, 47.44 feet; thence South 63°01'40" East, 50.00 feet, to a point on the Section line common to Section 5 and Section 8; thence along said section line, South 89°39'40" East, 1398.04 feet, to a point on the Western line of the Tidewater Southern Railroad right of way; thence along said Western line of said right of way, South 1°14'20" East, 850.56 feet, to the Southeastern corner of property conveyed to Walter P. Wesson, by deed recorded March 29, 1929, as Instrument 4246, Stanislaus County Records; thence along a Southern line of said Wesson property, North 89°39'40" West, 325.00 feet, to a Southwestern corner of the Wesson property; thence along a Western line of the Wesson property, North 1°14'20" West, 150.00 feet, to a point on a Southern line of the Wesson property; thence along said last mentioned Southern line, North 89°39'40" West, 1012.16 feet, to a point on said Southern line of the Hetch Hetchy right of way; thence along the Southern line of the Hetch Hetchy right of way, South 69°19'53" West, 1345.03 feet, to a point on the section line common to Sections 7 and 8, said line being the center line of Tully Road; thence along said section line and said center line, South 1°14'15" East, 1451.46 feet, to a point on the center line of Standiford Avenue, said point being also a quarter section corner; thence along said section line and the center line of Tully Road, South 1°04' East, 20.01 feet, to the point of beginning, containing 72.064 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1025

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (**SUNRISE-BRIGGSMORE)**

WHEREAS, there has been annexed to the City of Modesto on October 25, 19 73, certain territory known as **SUNRISE-BRIGGSMORE** Addition, and

WHEREAS, the inclusion of the area contained in **SUNRISE-BRIGGSMORE** Addition 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 **SUNRISE-BRIGGSMORE** Addition (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. 115.

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

SECTION 5. Monday, February 4, 19 74, 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 judgment 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. 115 .

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) 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) On the South side of Norwegian Avenue at the East side of Eldena Way.

(2) On the South side of Norwegian Avenue at the West side of Sunrise Avenue.

(3) On the West side of Sunrise Avenue at the North side of West Briggsmore Avenue.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 115, 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 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

12-6-73

SUNRISE-BRIGGSMORE ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of the Southwest quarter of Section 16, 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 FELLOWSHIP HOMES ADDITION (167), as per description filed October 5, 1964, as Instrument 39594, Stanislaus County Records, said point being on the Southern line of NORTHEAST ADDITION (78), as per description filed January 31, 1958, as Instrument 2427, Stanislaus County Records; thence along the existing City Limits on the Eastern line of said Addition (167), South 00°45' East, 684.29 feet to its intersection with a Northeastern line of the SUNRISE-GRANGER ADDITION (296), as per description filed October 6, 1972, as Instrument 14519, Stanislaus County Records; thence along the existing City Limits on the Northeastern line of said Addition (296), South 69°35' East, 636.69 feet, to a point on a Western line of said Addition (296), said point also being on the center line of a public road known as Sunrise Avenue; thence along the existing City Limits on the Western line of said Addition (296), said line also being the North-South quarter section line of said Section 16, North 00°07' East, 871.22 feet, to a point on the Southern line of the NORWEGIAN NO. 1 ADDITION (273), as per description filed July 29, 1971, as Instrument 28289, Stanislaus County Records; thence continuing along the existing City Limits on the Southern line of said Addition (273), which is also the center line of a public road known as Norwegian Avenue, North 89°31' West, 30.00 feet, to the Southwestern corner of said Addition (273); thence along the existing City Limits on the Western line of said Addition (273), North 00°46' West, 30.00 feet, to the Southeastern corner of said Northeast Addition (78), said point being on the Northern line of said Norwegian Avenue; thence continuing along the existing City Limits on the Southern line of said Addition (78), North 89°31' West, 577.05 feet, to the point of beginning, containing 10.927 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 December 17, 19 73, 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 Councilman Dunlap, seconded by Councilman Elliott, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: 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: December 18, 1973

W. T. Chynoweth

City Clerk of the City of Modesto, California
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1026

A RESOLUTION AUTHORIZING CITY OF MODESTO TO JOIN IN AMICUS CURIAE BRIEF (Pitchess vs Superior Court)

WHEREAS, the City of Modesto has been requested by the League of California Cities to join in the amicus curiae brief being filed by the City of San Francisco with the Supreme Court in the case of Pitchess vs Superior Court; and

WHEREAS, the City Attorney and the Acting Police Chief have both recommended that this request be granted.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request for the City of Modesto to join in the amicus curiae brief filed by the City of San Francisco with the Supreme Court in the case of Pitchess vs Superior Court be, and hereby is, granted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO 73-1027

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, AND RESCINDING RESOLUTION NO. 73-45 (Along Kearney Avenue at 1429 Del Vista Ave., Lot 9 of Block 918 - Iva Mae Gause - $301.00)

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 8, 19 72, adopt its Resolution No 72-629, 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, January 15, 19 73, at 4:10 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 $301.00

SECTION 2. That the cost of the aforesaid work, being the amount of $301.00, be assessed in 6 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 918 of College Gardens as per map filed March 27, 1946 in Volume 14 of Maps, Page 58, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 115-0724-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) 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.

Resolution No. 73-45 dated January 15, 1973 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1028

A RESOLUTION APPROVING AMENDMENT TO AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO JUNIOR WOMEN'S CLUB FOR AN EXTENSION OF TIME TO MAY, 1974, TO COMPLETE CONSTRUCTION OF "SAFETY TOWN" IN THE TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to agreement between the City of Modesto and Modesto Junior Women's Club for an extension of time to May, 1974, to complete construction of "Safety Town" in the Tuolumne River Regional Park 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 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1029

A RESOLUTION SETTING TIME AND PLACE FOR HEARING DISCUSSION OF THE MERITS OF ALTERNATIVE PROJECTS NECESSARY TO MEET WASTEWATER TREATMENT RESPONSIBILITIES OF THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 14, 1974, at 7:40 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of discussion of the merits of alternative projects necessary to meet wastewater treatment responsibilities 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 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1030

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $500 TO PROVIDE FUNDS NEEDED FOR THE REPAIR OF 9-HOLE MUNICIPAL GOLF COURSE CLUBHOUSE

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	$500.00
TO:	M & R, Buildings & Grounds (224-37-101)	$500.00

(Damage to 9-Hole Municipal Golf Course Clubhouse by Coor's Truck on 9-18-73; repaired by Olsen Brothers, 1237 Kurt Way, Modesto; Zimmerman Insurance Agency, P. O. Box 456, Oakdale, paid City of Modesto $500 for repair on 11-29-73; appropriation transfer is necessary to pay Olsen Brothers $500)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1031

A RESOLUTION RATIFYING THE MAYOR'S APPOINTMENT OF COUNCILMAN ELLIOTT AS THE REPRESENTATIVE OF THE CITY OF MODESTO ON THE ANCILLARY MANPOWER PLANNING BOARD NO. 5 OF THE COOPERATIVE AREA MANPOWER PLANNING SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Mayor's appointment of Councilman Elliott as the representative of the City of Modesto on the Ancillary Manpower Planning Board No. 5 of the Cooperative Area Manpower Planning System be, and hereby is, ratified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Mensinger, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1032

A RESOLUTION COMMENDING MODESTO AREA BOY SCOUTS

WHEREAS, more than 300 members of Cub Packs, Boy Scout Troops and Explorer Posts in the Yosemite Area Council, Boy Scouts of America, voluntarily contributed much time and effort in distributing brochures concerning burglary prevention to all homes in Modesto, and

WHEREAS, the entire operation was planned, coordinated and conducted by the scouts themselves, and

WHEREAS, this project was an outstanding example of service to our community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the members of the Cub Packs, Boy Scout Troops and Explorer Posts in the Yosemite Area Council, Boy Scouts of America be, and hereby are, commended for their successful efforts on behalf of all residents of the City of Modesto and are hereby congratulated for the completion of a well-organized and well-conducted program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1033

A RESOLUTION APPOINTING COUNCILMAN ELLIOTT AS A REPRESENTATIVE OF THE CITY OF MODESTO ON THE CERES-MODESTO LIAISON COMMITTEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Elliott is hereby appointed as a representative of the City of Modesto on the Ceres-Modesto Liaison Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1034

A RESOLUTION APPOINTING COUNCILMEMBERS KULLIJIAN AND MENSINGER AS REPRESENTATIVES OF THE CITY OF MODESTO ON THE CITY-COUNTY TRANSPORTATION STUDY COMMITTEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilmembers Kullijian and Mensinger are hereby appointed as representatives of the City of Modesto on the City-County Transportation Study Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1973, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1035

A RESOLUTION ACCEPTING THE CONSTRUCTION OF IMPROVEMENT OF RUMBLE ROAD AT TIDEWATER SOUTHERN RAILROAD CROSSING (Lee White Paving)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Improvement of Rumble Road at Tidewater Southern Railroad Crossing has been completed by Lee White Paving Co.

in accordance with the contract agreement dated September 4, 1973.

NOW, THEREFORE, BE IT RESOLVED that the construction of Improvement of Rumble Road at Tidewater Southern Railroad Crossing be accepted from said contractor, Lee White Paving Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $7,234.50 as provided in the contract, be authorized.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 19 73, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1036

A RESOLUTION GRANTING MAX D. HANNEY A 12-MONTH EXTENSION OF TIME TO DECEMBER 26, 1974, TO INSTALL LANDSCAPING ON HIS PROPERTY AT 1037 OLD OAKDALE ROAD IN THE CITY OF MODESTO.

WHEREAS, Max D. Hanney owns property located at 1037 Old Oakdale Road in the City of Modesto, which property has not been landscaped in accordance with the requirements contained in Section 10-2.1808 of the Modesto Municipal Code, and

WHEREAS, Max D. Hanney filed an appeal to the requirement for landscaping to be installed at the present time and requested an extension of time to install said landscaping, and

WHEREAS, at a public hearing held in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on December 26, 1973, the City Council considered the appeal filed by Max D. Hanney,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby grants to Max D. Hanney an extension of time to install landscaping on his property located at 1037 Old Oakdale Road in the City of Modesto as follows:

1. If an additional building is built on said property prior to December 26, 1974, the landscaping will be installed on the existing parking area at 1037 Old Oakdale Road when the additional building is constructed; or

2. In the event an additional building is not built on said property prior to December 26, 1974, the landscaping will be installed on the existing parking area at 1037 Old Oakdale Road prior to December 26, 1974.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1037

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND HUBERT W. AND EULA B. SCOTT FOR A PORTION OF THE DRY CREEK PARK SITE FOR AGRICULTURAL PURPOSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/agreement between the City of Modesto and Hubert W. and Eula B. Scott for a portion of the Dry Creek Park site for agricultural purposes (Rental to begin 11/1/73 and end 10/31/74 with lessees agreeing to pay City 1/4th of the gross receipts derived from the sale of all crops) be, and it is hereby approved.

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

The foregoing resolution was introduced at an adjourned/regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
NOES:	Councilmen:	Newton
ABSENT:	Councilmen:	Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1038

A RESOLUTION ACCEPTING IMPROVEMENTS IN ERIN ESTATES NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Arthur J. Wylie and Florence E. Wylie, husband and wife, and Vince Lancey, a single man, individuals, subdividers of Erin Estates No. 2 Subdivision, have filed subdivision improvement bonds for faithful performance and labor and materials in the amount of $69,100 and $34,550 respectively to guarantee improvements in Erin Estates No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated December 18, 1973, 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 a notice of completion and release the bonds upon expiration of the statutory period.

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

1. The improvements of Erin Estates No. 2 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the bond for faithful performance in the amount of $69,100 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the bond for labor and materials in amount of $34,550 upon expiration of the statutory period.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1039

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROGER D. AND BEVERLY SMITH AND STANISLAUS UNION SCHOOL DISTRICT FOR PURCHASE OF PROPERTY LOCATED ON CARVER ROAD NORTH OF STANDIFORD (Aqueduct Neighborhood Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Roger D. and Beverly Smith and Stanislaus Union School District for purchase of property located on Carver Road north of Standiford (Aqueduct 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 an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1040

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SCENIC-ENCINA ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one-fourth (1/4) of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus was filed with the Council of the City of Modesto on December 17, 1973, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as SCENIC-ENCINA Addition, and described as attached hereto and made a part hereof as though set forth in full herein.

3. That the matter of the proposed annexation to the City of Modesto of said territory has been referred to the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission did on November 30, 1973, approve the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code.

4. That no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 11th day of February, 1974, at the hour of 7:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the

owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and shall also cause a copy of this resolution to be published in the Riverbank News, being a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. 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 an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973,

by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Ron Lemmell
Public Works Department

JCC
12-19-73

SCENIC-ENCINA ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 27, 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 Southwest corner of the MORAN ADDITION (102), as per description filed December 24, 1959, as Instrument 37564, Stanislaus County Records, said point also being on the boundary of LA LOMA - YOSEMITE ADDITION (55), as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records; thence along the boundary of ADDITION (55) the following six bearings and distances, South 00°29'50" East, 1,282.76 feet; North 89°44'10" West, 329.37 feet; North 00°29'50" West, 1,283.06 feet; North 89°40'30" West, 329.70 feet; South 00°28'45" East, 335.54 feet; North 89°44'30" West, 659.44 feet, to a point on the Eastern boundary of LA LOMA SCHOOL ADDITION (73), as per description filed January 24, 1957, as Instrument 2170, Stanislaus County Records; thence along the Eastern boundary of ADDITION (73), and its Northerly extension, North 00°38'00" West, 411.18 feet, to the Northern line of 75.00 foot Modesto Irrigation District Lateral Number 2 right of way; thence along said Northern line, South 89°41'00" East, 30.94 feet; thence along a line parallel with and 29.40 feet, at right angles, Easterly from the quarter section line of Section 27, North 00°33'03" West, 1,525.56 feet, to the approximate center line of Dry Creek; thence along said approximate center line of Dry Creek, the following five bearings and distances, North 72°53'00" East, 49.09 feet; North 61°38'29" East, 111.35 feet; North 72°48'01" East, 112.04 feet; North 61°36'43" East, 133.83 feet; North 53°50'45" East, 314.34 feet; thence leaving the approximate center line of Dry Creek, North 00°36'00" West, 451.83 feet, to a point on the Southern boundary of STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records; thence along said Southern boundary of ADDITION (226), North 73°46'45" East, 669.73 feet; thence North 80°14'45" East, 15.14 feet; thence leaving the existing City Limits, South 00°36'00" East, 146.33 feet, to the Northwest corner of DRY CREEK PARK NO. 1 ADDITION (290), as per description filed May 16, 1972, as Instrument 19654, Stanislaus County Records; thence along the Western boundary of ADDITION (290), South 00°36'00" East, 764.17 feet; to the Northwest corner of DRY CREEK ADDITION (197), as per description filed October 26, 1966, as Instrument 37059, Stanislaus County Records, thence along the Western boundary of ADDITION (197), South 00°36'00" East, 330.14 feet, to the Southwest corner of ADDITION (197); thence leaving the existing City Limits, South 00"36'00" East, 660.84 feet, to the Northwestern corner of the MORAN ADDITION (102), first above mentioned; thence South 00°36'00" East, 697.26 feet, to the point of beginning, containing 78.027 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1041

A RESOLUTION ANNEXING UNINHABITED TERRITORY KNOWN AS THE DRY CREEK PARK NO. 3 ADDITION TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on November 30, 1973, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as DRY CREEK PARK NO. 3 Addition,

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

That the annexation of said uninhabited territory designated as DRY CREEK PARK NO. 3 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto

be and the same is hereby approved and said property be and the same is hereby subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved, is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at ~~a~~ adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

October 16, 1973

Revised November 21, 1973
Corrected December 4, 1973

DRY CREEK PARK NO. 3 ADDITION

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 the Eastern boundary of the DRY CREEK PARK NO. 1 ADDITION (290), as per description filed May 16, 1972, as Instrument 19654, Stanislaus County Records, said point being the section corner common to Sections 22, 23, 26 and 27; thence along said Eastern boundary, North 00°45'35" West, 152.34 feet, to the Northeast corner of ADDITION (290), said point also being the Southeast corner of the ROSE AVENUE SCHOOL ADDITION (176), as per description filed March 30, 1965, as Instrument 12390 and the Southwest corner of the ANGELO ADDITION (180), as per description filed August 13, 1965, as Instrument 31397, Stanislaus County Records; thence along the Southern boundary of ADDITION (180), North 80°14'43" East, 188.72 feet; thence continuing along said Southern boundary on a tangent curve concave to the South, having a Radius of 954.93 feet, a Central Angle of 8°46'24", and an Arc Length of 146.22 feet; thence leaving the existing City Limits and continuing on said curve, having a Radius of 954.93 feet, a Central Angle of 14°31'14", and an Arc Length of 242.01 feet; thence South 00°33'41" East, 150.44 feet, to the approximate center line of Dry Creek; thence along said center line, South 72°05' East, 75.40 feet; thence South 62°41'10" East, 591.29 feet; thence South 40°51'29" East, 221.79 feet, to the Northwestern corner of property conveyed to the City of Modesto and described as Parcel 2, as per deed recorded March 9, 1973, in Volume 2539, Page 326, Stanislaus County Records; thence along the boundary of said Parcel 2, the following two bearings and distances, North 85°57'31" East, 333.96 feet; South 00°13'29" East, 130.00 feet, to the approximate center line of Dry Creek; thence along said center line the following four bearings and distances, South 51°11' East, 340.00 feet; South 41°32'47" East, 188.31 feet; South 33°07'30" East, 99.20 feet; South 20°09'09" East, 138.75 feet; thence leaving the center line of Dry Creek, South 00°13'31" East, 200.00 feet, to the Northern boundary of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records; thence along the Northern boundary of said ADDITION (228), the following two bearings and distances, South 89°57'25" West, 252.94 feet; North 59°06'20" West, 159.70 feet, to the Northeast corner of EDGEBROOK MANOR SUBDIVISION, as per map filed April 14, 1959, in Volume 19 of Maps, Page 16, Stanislaus County Records; thence along the Northern boundary of said subdivision the following three bearings and distances, North 59°06'20" West, 499.70 feet; North 59°08' West, 379.36 feet; North 71°37'13" West, 413.26 feet; thence continuing along said boundary and its Westerly extension, North 83°22'35" West, 480.98 feet; thence South 89°28'40" West, 118.65 feet, to the Eastern boundary of the above first mentioned DRY CREEK PARK ADDITION (290); thence along said Eastern boundary, North 00°36' West, 597.30 feet, to the point of beginning, containing 31.635 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1042

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTIONS 28-3-9 AND 33-3-9 OF THE ZONING MAP TO REZONE FROM NEIGHBORHOOD COMMERCIAL ZONE, C-1, TO PLANNED DEVELOPMENT ZONE, P-D (Willo Construction)

WHEREAS, the Modesto City Planning Commission held a public hearing on December 18, 1973, in the Council Chambers, City Hall, for the purpose of considering an amendment to Sections 28-3-9 and 33-3-9 of the Zoning Map to rezone from Neighborhood Commercial Zone, C-1, to Planned Developement Zone, P-D, for three 9-unit, 2-story apartment buildings on separate lots, properties located at 514 and 518 13th St., and on the southwest side of ~~the following described property~~ 15th Street between F and G Streets the following properties described below:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 73-155 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Sections 28-3-9 and 33-3-9 of the Zoning Map be set for January 21, 1974 at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

All that portion of Sections 28 and 33 Township 3 South, Range 9 East, Mount Diablo Base and Meridian as follows:

Parcel 1

All of Lots 21 and 22 in Block 102, in the City of Modesto and the northerly 40 feet of 13th Street immediately adjacent to said Lots 21 and 22. Also including the southerly 10 feet of the 20 foot alley immediately adjacent to said Lots 21 and 22 in Block 102.

Parcel 2

All of Lots 25 and 26 in Block 102, in the City of Modesto and the northerly 40 feet of 13th Street immediately adjacent to said Lots 21 and 22. Also, including the southerly 10 feet of the 20 foot alley immediately adjacent to said Lots 21 and 22 in Block 102.

Parcel 3

All of Lots 5 and 6 in Block 115, in the City of Modesto and the southerly 40 feet of 15th Street immediately adjacent to said Lots 5 and 6. Also, including the northerly 10 feet of the 20 foot alley immediately adjacent to said Lots 5 and 6 in Block 115; and

EXHIBIT "A"

Sections 28-3-9
33-3-9
(Willo Construction

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1043

A RESOLUTION TRANSFERRING ONE THOUSAND, FIVE HUNDRED FIFTY-EIGHT AND NO/100THS ($1,558.00) DOLLARS FROM THE GENERAL FUND (FUND NO. 101) OF THE CITY OF MODESTO TO THE AIRPORT FUND (FUND NO. 230).

WHEREAS, the sum of One Thousand, Five Hundred Fifty-eight and no/100ths ($1,558.00) Dollars is available in the General Reserve of the General Fund (Fund No. 101), and

WHEREAS, said sum will not be required for operating costs of the City during the 1973-74 fiscal year, and

WHEREAS, the Council desires to transfer said sum to the Airport Fund (Fund No. 230) to be utilized for salary costs upon retirement of a maintenance mechanic and for replacement training,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of One Thousand, Five Hundred Fifty-eight and no/100ths ($1,558.00) Dollars be and is hereby transferred from the General Reserve of the General Fund (Fund No. 101) to the Airport Fund (Fund No. 230).

BE IT FURTHER RESOLVED that said amount be appropriated in the account Salaries and Wages, Regular (Account No. 110) of the Airport Fund (Fund No. 230).

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 an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1044

A RESOLUTION ESTIMATING ADDITIONAL REVENUE IN THE REVENUE SHARING FUND (FUND NO. 611) AND AUTHORIZING TRANSFER OF THE ADDITIONAL AMOUNT ESTIMATED TO BE AVAILABLE TO THE SPECIAL FUND FOR CAPITAL OUTLAYS (FUND NO. 321) FOR CAPITAL PROJECTS.

WHEREAS, an additional $13,130.00 Revenue Sharing money is estimated to be available during the 1973-74 fiscal year, and

WHEREAS, the Council is authorized to transfer money from the Revenue Sharing Fund (Fund No. 611) to other City funds to finance qualified projects as needed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an additional $13,130.00 Revenue Sharing money is estimated to be available so that the total estimated revenue in the Revenue Sharing Fund (Fund No. 611) for the 1973-74 fiscal year is $783,130.00.

BE IT FURTHER RESOLVED that the additional amount of $13,130.00 estimated to be available in the Revenue Sharing Fund (Fund No. 611) is to be transferred to the General Reserve (Account No. 60) of the Special Fund for Capital Outlays (Fund No. 321) to offset expenditures in the following accounts:

Dry Creek Park (Account No. 6415-31)	$8,130.00
Neece Drive-Dryden Golf Course, Curbs and Gutters (Account No. 6423-31)	$5,000.00

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 an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott,

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

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1045

RE
A RESOLUTION/APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT FOR A TERM ENDING JANUARY 1, 1978 (Harold H. Schulenberg)

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 Board of Zoning Adjustment for the respective term as indicated: (Term ending January 1, 1978)

Harold H. Schulenberg
1421 Ashwood Drive
Modesto, California 95350

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 an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1046

RE
A RESOLUTION/APPOINTING MEMBERS OF THE PLANNING COMMISSION FOR TERMS ENDING JANUARY 1, 1978 (Wm. M. Nicholson, Jr. and David B. Ryan)

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 re/appointed to the Planning Commission for the respective term as indicated: (Terms ending January 1, 1978)

Wm. M Nicholson, Jr.
909 Crestwood Drive
Modesto, California 95350

David B. Ryan
376 Birchwood Ct.
Modesto, California 95350

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 an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1047

A RESOLUTION COMMENDING HOWARD NEYENS FOR HIS SERVICE AS PERSONNEL OFFICER OF THE CITY OF MODESTO

WHEREAS, Howard Neyens became Personnel Officer of the City of Modesto in November, 1967, and

WHEREAS, by his efficiency and integrity Howard has earned the respect of all who have worked with him, and

WHEREAS, Howard is leaving City employment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Howard Neyens be, and hereby is, commended for his service to the City of Modesto as Personnel Officer, and

BE IT FURTHER RESOLVED that the best wishes of the Council are hereby extended to Howard for success in the future.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1048

A RESOLUTION COMMENDING JOHN C. KEEFE UPON HIS RETIREMENT

WHEREAS, John C. Keefe became Deputy City Manager on January 1, 1961, and became City Manager on May 1, 1963, and

WHEREAS, John has done an outstanding job in directing the affairs of a city which has more than doubled in population during this time, and

WHEREAS, on occasions too numerous to enumerate, John has demonstrated his ability and his dedication to his work and has constantly strived to do his best for our community and has, by his example, encouraged many others to become as dedicated public officials as he has been, and

WHEREAS, John has decided to retire as of December 28, 1973.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that John C. Keefe be, and he hereby is, congratulated for a job which has been done in an outstanding manner, and

BE IT FURTHER RESOLVED that the best wishes of the Modesto City Council for a happy and rewarding retirement are hereby extended to him.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 73-1049

A RESOLUTION DELEGATING TO THE CITY MANAGER AUTHORITY TO MAKE DETERMINATIONS UNDER SECTION 21023.6 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA REGARDING DISABILITY OF LOCAL SAFETY MEMBERS OF THE PUBLIC EMPLOYMENT RETIREMENT SYSTEM.

WHEREAS, the City of Modesto (hereinafter referred to as Agency), is a contracting agency of the Public Employees' Retirement System, and

WHEREAS, the Public Employees' Retirement Law requires that a contracting agency determine whether an employee of such agency in employment in which he is classified as a local safety member is disabled for purposes of the Public Employees' Retirement Law and whether such disability is "industrial" within the meaning of such Law, and

WHEREAS, the City Council has determined upon legal advice that it may delegate authority to make such determinations to the incumbent of the office of City Manager,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby delegate to the incumbent of the office of City Manager authority to make determinations under Section 21023.6 of the Government Code of the State of California, on behalf of the Agency, of disability and whether such disability is industrial and to certify such determinations and all other necessary information to the Public Employees' Retirement System.

BE IT FURTHER RESOLVED that such incumbent be and he is authorized to make applications on behalf of the Agency for disability retirement of employees in employments in which they are local safety members and to initiate requests for reinstatement of such employees who are retired for disability.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of December, 1973, by Councilman Kullijian, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM
ELWYN L. JOHNSON, City Attorney