

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF WEDNESDAY, JANUARY 2, 1980, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore,
Siefkin, Mayor Mensinger

Absent: Councilmember Kullijian
Councilmember Siefkin arrived at 4:05 p.m.

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 12,
Dropped from agenda: 13, 14, 15, 16, 18 17, 19, 21, 22, 23, 24, 25, 26

Removed from Consent: 20

ACTION: Elliott/Bright, unan., Kullijian, Siefkin absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the regular meeting of the Council, December 18, 1979.
(Motion approving needed)

ACTION: By motion, minutes approved,

BIDS

CONSENT

2. Consider authorizing the purchase of service award pins from O.C. Tanner Company for the total purchase price of \$4,044.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-1 adopted authorizing purchase.

(Finance to handle)

CONSENT

3. Consider declaring Motorola, Inc. lowest responsive bidder meeting City specifications and authorize award of contract for one satellite radio receiving system. (This item was continued from the meeting of December 18, 1979; however, staff requests that the item be continued to the meeting of January 22, 1980. Motion continuing needed.)

ACTION: By motion, this item continued to January 22, 1980. (Clerk to handle)

CONSENT

4. Consider declaring Equipment #17901, a 1979 police patrol car, surplus property and authorize the Purchasing Officer to advertise and sell the vehicle to the highest bidder. A report of sale will be made to the City Manager. (The vehicle was involved in an accident and the extent of the damage makes it impractical to repair. Resolution declaring equipment surplus property and authorizing sale needed.)

ACTION: Res. 80-2 adopted declaring equipment surplus property. (Finance to handle)

CONSENT

5. Consider acceptance of Stockton Fence and Material Company's contract for Beard Brook, Davis and Mellis Parks Ballfield Fence Refurbishing as complete. (Original Contract: \$12,840.00)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final Cost: \$12,958.80. Funds are budgeted.)

ACTION: Res. 80-3 adopted accepting work as complete. (Clerk to handle)

CONSENT

6. Consider acceptance of Matteson Construction's contract for modification of Building No. 1 at City Service Yard as complete. (Original contract: \$23,247.00). (All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$23,606.00. Funds are budgeted.)

ACTION: Res. 80-4 adopted accepting work as complete. (Clerk to handle)

HEARINGS

7. Hearing on amendment to Section 12-3-8 of the Zoning Map to rezone from R-1 and R-3 to P-D(252) to allow zero lot line patio houses and townhouse development, property located west of Prescott Road and north of Veneman Avenue. (Joaquin Construction, Regency Park Group)

No. 1

ACTION: By motion (Lang/Muratore, unan., Kullijian absent) Ord. No. 1907-C.S. introduced.

Res. 80-5 adopted (same vote) approving plan.

Res. 80-6 adopted (same vote) certifying review of Environmental Assessment.

(Clerk/Planning to handle)

8. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

9. Final adoption of Ord. No. 1903-C.S., rezoning from R-1 to P-D(250) property located on Sherwood south of Bowen Avenue (Lapata International, Ltd.).
(Motion adopting needed.)

ACTION: By motion (Muratore/Bright, majority, Lang-no, Kullijian, absent)
Ord. No. 1903-C.S. adopted. (Clerk to handle)

10. Final adoption of Ord. No. 1905-C.S. rezoning from R-1 to P-D property on the northwest corner of Standiford Avenue and Prescott Road (R. T. Hughes Co.).
(Motion adopting needed.)

ACTION: By motion (Lang/Bright, majority, Siefkin, Mayor Mensinger - no, Kullijian absent) Ord. No. 1905-C.S. adopted. (Clerk to handle)

11. Final adoption of Ord. No. 1906-C.S. amending the Massage Ordinance.
(Motion adopting needed.)

ACTION: By motion (Bright/Lang, majority, Elliott, Siefkin-no, Kullijian, absent)
Ord. No. 1906-C.S. amended. (Clerk to handle)

CONSENT

12. Final adoption of the following:

- a. Ord. No. 1897-C.S. rezoning from R-1 to R-2 property located on the west side of Rose Avenue north of Coolidge Avenue (James & Barbara Brady).
- b. Ord. No. 1898-C.S. amending P-D(196) to allow a 16-unit apartment project on E. Coolidge Avenue west of Melrose (Cummins-Goatley).
- c. Ord. No. 1899-C.S. rezoning from R-2 to P-D, to allow a 34-unit residential condominium on Shawnee Drive and Standiford (Sutco Construction).
- d. Ord. No. 1900-C.S. amending P-D(161) to allow a 164-unit condominium conversion on Rumble and Sherwood Avenue (Jim Price).
- e. Ord. No. 1901-C.S. rezoning from R-3 to P-0 and from R-3 and R-A to C-M property on E. Coolidge Avenue east of McHenry (Gary Bright).
- f. Ord. No. 1902-C.S. rezoning from R-3 to R-2 property located on the east side of Coffee Road north of Sylvan Meadows Drive (Council initiated).
- g. Ord. No. 1904-C.S. rezoning from R-A to P-D(251) on Emerald south of Maze, to allow a 7-unit residential development (Cummins & Goatley).

(Motion adopting ordinances needed.)

ACTION: By motion, ordinances adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

13. Consider approval of the final map of Hollandia Corners subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Phillip D. Overholtzer, Inc.
(The subdivision agreement has been signed and all fees paid. Hollandia Corners is located at the southwest corner of Prescott Road and Snyder Avenue. It contains 3.094 acres. Resolution approving final map needed.)

DROPPED FROM AGENDA

CONSENT

14. Consider approving lease agreement with Virgil Van Schoonhoven for lease of the former Crismon house located on future Dry Creek Park area.
(The Van Schoonhovens have been leasing the house since 1973. The rental for the last year has been \$375 per month. The new agreement is on a month-to-month tenancy at \$400 per month with lessee paying taxes and utilities. The lessee has been employed by the City of Modesto for fourteen years. Resolution approving lease agreement needed.)

DROPPED FROM AGENDA

CONSENT

15. Consider approving a rental agreement with Rilen Cathey for rent of a 700 sq. ft. house on Sunset Avenue (future Del Webb Soccer Field expansion).
(The house is being rented on a month-to-month agreement. Plans are to sell and move the house when one more remaining house in this project becomes vacant. Rent is for \$160 per month plus utilities and taxes. Resolution approving agreement needed.)

DROPPED FROM AGENDA

CONSENT

16. Consider approving an airport concession agreement with Dennis P. Whipple and Paula B. Whipple dba Whipple Aviation.
(The Whipples have a night aerial advertising service. This agreement is for \$25 per month or 2½% of the gross. The agreement is consistent with other airport concession agreements. Resolution approving agreement needed.)

DROPPED FROM AGENDA

CONSENT

17. Consider revision in Position Classification Plan to add position of Public Services Officer and adoption of a resolution establishing salary schedules and fixing compensation for position in City service. The position of Public Services Inspector is being deleted from the Position Classification Plan.
(Memo with agenda. Resolution amending Position Classification Plan and resolution establishing salary schedule and fixing compensation for position needed.)

ACTION: Res. 80-7 adopted amending Position Classification Plan.

Res. 80-8 adopted establishing salary schedule. (Management Services to handle)

CONSENT

18. Consider setting hearing to amend the Conflict of Interest Codes of the Parking and Traffic Department, adding the position of Civil Engineering Tech III, and the Public Works Department, changing the title of Equipment Repair Shop Supervisor to Shop Supervisor, on the lists of designated employees.
(Resolution setting hearing January 15, 1980 at 4:00 p.m. (Hearing No. 4) needed.)

DROPPED FROM AGENDA

CONSENT

19. Consider authorization for two appraisals of the Ramont property and the submission of a grant application to UMTA.
(Memo with agenda. UMTA will cover 80% of the cost of this land which is to be used for the new bus maintenance facility. Resolution authorizing the hiring of two appraisal firms to do the appraisals and authorizing the submission of a grant application to UMTA to buy the land needed. Estimated cost: \$4,000; funds are budgeted.)

ACTION: Res. 80-9 adopted authorizing hiring of appraisal firms & submission of grant application. (P/T to handle)

20. Consider authorizing a contract for bus advertising services with Boyle/Kilpatrick and Associates.
(Memo with agenda. Contract covers period through 6/30/80. Resolution approving contract with Boyle/Kilpatrick and Associates needed. Estimated cost: \$18,000; funds are budgeted.)

Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 80-10 adopted (Lang/Siefkin, unan., Kullijian, Muratore absent) authorizing contract for bus advertising services. (P/T to handle)

CONSENT

21. Consider LAFCO questionnaire regarding Whitmore-Ustick Annexation.
(Memo, map, and questionnaire with agenda. Resolution responding favorably to the proposed annexation needed.)

ACTION: Res. 80-11 adopted responding favorably to the proposed annexation. (Clerk to handle)

CONSENT

22. Consider Claus-Parker Governmental Reorganization to the City of Modesto.
(On October 24, 1979, LAFCO approved the Claus-Parker Governmental Reorganization which would include annexation to the City, detachment from the Empire Fire District and annexation to the Modesto Municipal Sewer District No. 1, and authorized the City to proceed without notice and hearing. On November 28, 1979, LAFCO amended its approval and authorized the City to proceed without notice, hearing, or election. Resolution ordering the Claus-Parker Governmental Reorganization to the City of Modesto without notice, hearing, or election, and certifying review of environmental impact needed.)

ACTION: Res. 80-12 adopted ordering annexation without notice, hearing or election. (Clerk to handle)

CONSENT

23. Recommend to Council an amendment to Sections 7-3-9 and 18-3-9 of the Zoning Map - Irwin Steinpress.
(On December 17, 1979, the Planning Commission adopted Resolution 79-317 recommending to the Council an amendment to Sections 7-3-9 and 18-3-9 of the Zoning Map to rezone from R-1 to P-D(254) to allow 37 patio house units and 4 apartments, property located on the north side of Rumble Road east of Prescott Road. Resolution setting public hearing on Tuesday, February 5, 1980 at 4:00 p.m. (Hearing No. 5) needed.)

ACTION: Res. 80-13 adopted setting hearing. (Clerk to handle)

CONSENT

24. Further consideration of bus bench franchise.
(The present franchise asked for an extension of the present franchise to December 31, 1985. Resolution setting hearing on Tuesday, January 15, 1980 at 4:00 p.m. (Hearing No. 3) needed.)

ACTION: Res. 80-14 adopted setting hearing. (Clerk to handle)

CONSENT

25. Consider authorization of a temporary loan of \$9,000 from the General Fund (101) to Improvement District No. 23 Fund (473).
(Memorandum with agenda. Resolution approving loan needed.)

ACTION: Res. 80-15 adopted approving loan. (Finance to handle)

REPORTS

CONSENT

26. Progress report from Colleen Bare, Chairman of the Culture Commission, on Community Center study.
(Recommendations will be submitted early in 1980. Memo with agenda. Motion acknowledging receipt of progress report needed.)

ACTION: By motion receipt of report acknowledged,

MISCELLANEOUS

27. Appointments

ACTION: Mayor Mensinger announced the appointment of Councilmembers Lang and Muratore as a committee to study garbage rate-setting process.

28. Legislation

None

29. Matters too late for the agenda

None

Adjourned at 5:15 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 8, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Elliott, Lang, Muratore,
Siefkin, Mayor Mensinger

Absent: Councilmembers Bright, Kullijian

Pledge of allegiance to the Flag

Invocation: Rev. Willard Chapman, Bethel Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 18, 19, 20, 22, 23,
Dropped from agenda: 21 24, 25, 26

ACTION: (Lang/Siefkin, unan., Bright, Kullijian absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

PRESENTATIONS

1. Presentation by Girl Scout Betsy Reiss in connection with her visit to Australia through the International Camping Opportunity Program.

ACTION: Betsy Reiss reported on her trip to Australia and presented gifts which were given to her to give to the City of Modesto.

COMMUNICATIONS

CONSENT

2. Request by property owners to abandon a portion of Veneman Avenue right-of-way. (Motion referring to Planning Commission needed.)

ACTION: By motion, request referred to Planning Commission. (Planning to handle)

BIDS

CONSENT

3. Consider the following: 1) approving specifications and authorizing new call for bids to be opened February 5, 1980, at 2:00 p.m. for furnishing one stencil painting truck, two 31,000 gvw dump trucks, and one 46,000 gvw dump truck; 2) declaring Maggini Chevrolet sole bidder on Item I and low bidder on Items III and IV and authorize the purchase of one 4-door sedan and three 1/2 ton pickups for the total purchase price of \$25,754.82; 3) consider declaring Best Chevrolet sole bidder on Item II and authorize the purchase of two light-utility trucks for the total purchase price of \$10,829.38; 4) consider declaring Dow Hammond low bidder on Item V and authorize the purchase of one 3/4 ton pickup for the total purchase price of \$8,787.40.

(Memorandum with agenda. Resolution approving specifications and authorizing new call for bids and three resolutions approving purchase of equipment needed. Estimated total cost: \$50,786.30; funds are budgeted.)

ACTION: Res. 80-16 adopted calling for bids for stencil painting truck and two dump truck:

Res. 80-17 adopted approving bid from Maggini Chevrolet on items I, III and IV.

Res. 80-18 adopted approving bid from Best Chevrolet on item II.

Res. 80-19 adopted approving bid from Dow Hammond on item V.

(Finance to handle)

CONSENT

4. Approve expenditure of funds in excess of \$3,500 for repair of roof on Service Building No. 1 at airport (formerly Naval Reserve Building).
(Roof repair was underway when it was determined insulation material on roof was damaged. Replacement of insulation added \$485 to cost of work and resulted in purchase requisition to exceed \$3,500 limit. Memo with agenda. Resolution authorizing purchase order needed. Funds are budgeted.)

ACTION: Res. 80-20 adopted authorizing purchase.

(Finance to handle)

HEARINGS

5. Hearing of Necessity to acquire the Hashem Naraghi property No. 1
needed for the Orchard Neighborhood storm drainage basin.

ACTION: Res. 80-21 adopted (Elliott/Muratore, unan., Bright and Kullijian absent)
approving acquisition of property. (P.W. to handle)

6. Hearing of Necessity to acquire a parcel of right of way from No. 2
Frank Hart, needed for the West Trunk Sewer.

ACTION: Res. 80-22 adopted (Lang/Elliott, unan. Bright and Kullijian absent)
reaffirming decision made concerning the route for the west side trunk
sewer.
Res. 80-23 adopted (same vote) approving acquisition of property. (P.W. to handle)

7. Hearing of Necessity to acquire a parcel of right of way from Michael L. Kurland, needed for the West Trunk Sewer. No. 3

ACTION: Res. 80-24 adopted (Muratore/Siefkin, unan., Bright, Kullijian absent) approving acquisition of property. (P.W. to handle)

8. Hearing of Necessity to acquire a parcel of right of way from Floyd Zaiger, needed for the West Trunk Sewer. No. 4

ACTION: Res. 80-25 adopted (Muratore/Siefkin, unan., Bright, Kullijian absent) approving acquisition of property. (P.W. to handle)

9. Hearing of Necessity to acquire a parcel of right of way from Philip A. Chambers, needed for the West Trunk Sewer. No. 5

ACTION: Res. 80-26 adopted (Muratore/Siefkin, unan., Bright, Kullijian absent) approving acquisition of property. (P.W. to handle)

10. Hearing of Necessity to acquire a parcel of right of way from Jack Pless, needed for the West Trunk Sewer. No. 6

ACTION: Res. 80-27 adopted (Muratore/Siefkin, unan., Bright, Kullijian absent) approving acquisition of property. (P.W. to handle)

11. Hearing of Necessity to acquire a parcel of right of way from James R.A. Morris, needed for the West Trunk Sewer. No. 7

ACTION: Res. 80-28 adopted (Muratore/Siefkin, unan., Bright, Kullijian absent) approving acquisition of property. (P.W. to handle)

12. Hearing of Necessity to acquire a parcel of right of way from Genevieve M. Hart, needed for the West Trunk Sewer. No. 8

ACTION: Res. 80-29 adopted (Muratore/Siefkin, unan., Bright, Kullijian absent) approving acquisition of property. (P.W. to handle)

13. Hearing on amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-0, property located on the south side of Floyd Avenue west of Coffee Road. (Croft/Joaquin Construction) No. 9

ACTION: By motion (Elliott/Muratore, unan., Bright, Kullijian absent) Ord. No. 1908-C.S. introduced.

Res. 80-30 adopted (same vote) certifying review of environmental assessment. (Clerk/Planning to handle)

14. Hearing on recommendation that the 20-foot alley which intersects Briggsmore Avenue west of Bronson Avenue be closed at the south line of Briggsmore. No. 10

ACTION: Res. 80-31 adopted (Siefkin/Lang, unan., Bright, Kullijian absent) determining that alley should not be closed.

15. Continued informal hearing on mitigation measures relating to urbanization of prime agricultural lands (EPA EIS). No. 11
(Continued from December 4, 1979, meeting.)

ACTION: By motion (Lang/Muratore, unan., Bright, Kullijian absent) staff recommendation not to impose a maximum lot size, approved.

By motion (Muratore/Siefkin, majority, Lang-no, Bright, Kullijian absent) 5,000 sq. ft. minimum lot size approved.

By motion (Lang/Siefkin, unan., Bright, Kullijian absent) the staff recommendation regarding R-1 density approved.

(Planning to handle)

16. Matters for the good of the community,
(These may be presented by interested persons in the audience.)

None

ORDINANCES

17. Final adoption of Ord. No. 1906-C.S. amending the Massage Ordinance. (Motion adopting needed.)

ACTION: By motion (Elliott/Muratore, unan., Bright, Kullijian absent) this item continued one week. (Clerk to handle)

NEW BUSINESS

CONSENT

18. Consider approval of the final map of Hollandia Corners Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Phillip D. Overholtzer, Inc (The subdivision agreement has been signed and all fees paid. Hollandia Corners is located at the southwest corner of Prescott Road and Snyder Avenue. It contains 3.094 acres. Resolution approving final map needed.)

ACTION: Res. 80-32 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider approving lease agreement with Virgil Van Schoonhoven for lease of the former Crismon house located on future Dry Creek Park area.
(The Van Schoonhovens have been leasing the house since 1973. The rental for the last year has been \$375 per month. The new agreement is on a month-to-month tenancy at \$400 per month with lessee paying taxes and utilities. The lessee has been employed by the City of Modesto for fourteen years. Resolution approving agreement needed.)

ACTION: Res. 80-33 adopted approving agreement.

(P.W. to handle)

CONSENT

20. Consider approving a rental agreement with Rilen Cathey for rent of a 700 sq. ft. house on Sunset Avenue (future Del Webb Soccer Field expansion).
(The house is being rented on a month-to-month agreement. Plans are to sell and move the house when one more remaining house in this project becomes vacant. Rent is for \$160 per month plus utilities and taxes. Resolution approving agreement needed.)

ACTION: Res. 80-34 adopted approving agreement.

(P.W. to handle)

CONSENT

21. Consider approving an airport concession agreement with Dennis P. Whipple and Paula B. Whipple dba Whipple Aviation.
(The Whipples have a night aerial advertising service. This agreement is for \$25 per month or 2-1/2% of the gross. The agreement is consistent with other airport concession agreements. Resolution approving agreement needed.)

DROPPED FROM AGENDA

CONSENT

22. Resolution setting hearing to consider amending the Conflict of Interest Codes of the City Manager's Department, adding the position of Public Services Officer, the Parking & Traffic Department, adding the position of Civil Engineering Tech III, and the Public Works Department, changing the title of Equipment Repair Shop Supervisor to Shop Supervisor, and deleting the position of Public Services Inspector on the departments' lists of designated employees.
(Resolution setting hearing January 22, 1980, 7:30 p.m. (Hearing No. 4) needed.)

ACTION: Res. 80-35 adopted setting hearing.

(Clerk to handle)

CONSENT

23. Recommend to Council an amendment to Section 25-3-8 of the Zoning Map - Joaquin Construction.
(On December 17, 1979, the Planning Commission adopted Resolution 79-316 recommending to the Council an amendment to Section 25-3-8 of the Zoning Map to prezone to P-D(255) to allow a 79-unit small lot patio home subdivision plus two existing residences on larger lots, property located on the west side of Carpenter Road north of Torrid Avenue. Resolution setting public hearing February 12, 1980, 7:30 p.m. (Hearing No. 1) needed.)

ACTION: Res. 80-36 adopted setting hearing.

(Clerk to handle)

CONSENT

24. Consider initiation of proceedings and setting date for public hearing for proposed Butte-Glenn annexation to the City of Modesto.
(The Stanislaus County Board of Supervisors has initiated preliminary proceedings for the annexation of inhabited territory generally bounded by Butte Avenue, Las Vegas Street, Glenn Avenue, Eureka Street, Colusa Avenue and Crows Landing Road. On December 19, 1979, LAFCO approved the annexation and directed the City Council to initiate proceedings. Resolution initiating proceedings and setting date for public hearing February 12, 1980, 7:30 p.m. (Hearing No. 2) needed.)

ACTION: Res. 80-37 adopted setting hearing. (Clerk to handle)

CONSENT

25. Consider initiation of proceedings and setting date for public hearing for proposed North Airport annexation to the City of Modesto.
(The Stanislaus County Board of Supervisors has initiated preliminary proceedings for the annexation of inhabited territory generally bounded by Oregon Drive, Santa Cruz Avenue, Monterey Avenue, and the City-County Airport. On December 19, 1979, LAFCO approved the annexation and directed the City Council to initiate proceedings. Resolution initiating proceedings and setting date for public hearing February 12, 1980 (Hearing No. 3) needed.)

ACTION: Res. 80-38 adopted setting hearing. (Clerk to handle)

CONSENT

26. Consider initiation of proceedings and setting date for public hearing for proposed South Airport annexation to the City of Modesto.
(The Stanislaus County Board of Supervisors has initiated preliminary proceedings for the annexation of inhabited territory generally bounded by Santa Cruz Avenue, Hillside Drive, Monterey Avenue, and the Modesto City-County Airport. On December 19, 1979, LAFCO approved the annexation and directed the City Council to initiate proceedings. Resolution initiating proceedings and setting date for public hearing February 12, 1980 (Hearing No. 4) needed.)

ACTION: Res. 80-39 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

27. Appointments

None

28. Legislation

None

29. Matters too late for the agenda

None

Adjourned at 10:00 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 15, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore,
Siefkin, Mayor Mensinger

Absent: Councilmember Kullijian

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 5, 7, 8, 9, 10, 16, 17, 18, 19,
20, 21, 23, 24, 25, 26, 27, 28

ACTION: (Muratore/Bright, Unan., Kullijian absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

PRESENTATIONS

1. Presentation of plaques to Wesley W. Hall, Board of Zoning Adjustment member, Peter R. Dutton and Frank Russo, Personnel Commissioners.

ACTION: Mayor Mensinger presented plaques for distinguished service to Wesley Hall and Frank Russo. Mr. Dutton was unable to be present.

MINUTES

CONSENT

2. Approval of minutes of the City Council meetings of January 2, 1980, and January 8, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

3. Letter from Larry Dovichi, Modesto Bee, concerning an advertisement in the annual Agricultural, Business and Industry Section.

ACTION: By motion (Siefkin/Bright, majority, Elliott-no, Kullijian-absent) the offer to include an advertisement in the special edition of the Modesto Bee was declined.

CONSENT

4. Letter from Modesto Men's Golf Club, Dryden Women's Golf Club, and Muni Niners Golf Club regarding change of rates at City golf courses. (Motion referring to staff for report on January 22, 1980 needed.)

ACTION: By motion, referred to staff for report. (Finance/P.R. to handle)

CONSENT

5. Letters from Donald N. Stahl, District Attorney, and George Deukmejian, Attorney General, requesting endorsement and support of "California Crime Watch" and the "Plan to Restore Public Safety in the 80's". (Copy of letters with agenda. Resolution of endorsement and support needed.)

ACTION: Res. 80-40 adopted supporting "California Crime Watch" and "Plan to Restore Public Safety in the 80's". (Clerk to handle)

6. Letter from Mid-Valley Engineering, Inc. on behalf of Briggsmore Joint Venture, requesting elimination of sidewalk along the east side of Ford Avenue at Briggsmore.

ACTION: By motion (Lang/Elliott, unan., Kulljian absent) request to eliminate sidewalk denied.

BIDS

CONSENT

7. Approve plans and specifications and call for bids for the construction of utility building at Sonoma Park. (Bid opening: February 5, 1980 at 11:00 a.m. This building will be similar to the one at Woodrow Park. We will be using split face concrete block. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$83,400 (Contract \$79,500; Engr. & Contg. \$3,900); funds are budgeted.)

ACTION: Res. 80-41 adopted approving plans and calling for bids. (P.W. to handle)

CONSENT

8. Consider award of bid for Muncy Neighborhood Park Grading and Paving Improvements. (Bids were opened January 8, 1980. The low bid of \$84,690, submitted by Lee White Paving Co., is 7% above the engineer's estimate and is considered acceptable. It is recommended by the Public Works and Parks and Recreation Departments to award the contract to them. Estimated cost: \$87,613 (Contract \$84,690; Inspection \$2,923); funds are budgeted.)

ACTION: Res. 80-42 adopted awarding bid to Lee White Paving Co. (P.W. to handle)

CONSENT

9. Consider award of bid for the interior painting of the Modesto Police Building. (Bids were opened January 8, 1980. The low bid of \$8,365, submitted by Vient, Inc., is 40% below the engineer's estimate and is considered acceptable. It is recommended by the Public Works Department to award the contract to them. Resolution awarding contract to Vient, Inc. needed. Estimated cost: \$8,669 (Contract \$8,369; Inspection \$300); funds are budgeted.)

ACTION: Res. 80-43 adopted awarding contract to Vient, Inc. (P.W. to handle)

CONSENT

10. Consider acceptance of SPM Development Company's contract for Project No. 9 - replacement of curbs and drive approaches at various locations as complete. (Original contract and final cost: \$15,018) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-44 adopted accepting work as complete. (Clerk to handle)

HEARINGS

11. Hearing on amendment to P-D(131) to allow construction of a self-service gas pump island as an addition to the Rule-Dale Lincoln Mercury Dealership, property located on the south side of Union Avenue west of McHenry. (Rule Enterprises) No. 1

ACTION: By motion (Muratore/Siefkin, unan., Kullijian absent) Ord. No. 1909-C.S. introduced.

Res. 80-45 adopted (same vote) approving plan.

Res. 80-46 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

12. Hearing on amendment to Section 10-2.2106 of the Zoning Regulations concerning Planning Commission's evening meetings. No. 2

ACTION: By motion (Muratore/Siefkin, unan., Kullijian absent) Ord. No. 1910-C.S. introduced. (Clerk to handle)

13. Hearing on request to extend the present bus bench franchise to December 31, 1985. No. 3

ACTION: By motion (Lang/Muratore, unan., Kullijian - absent) Ord. No. 1911-C.S. introduced. (P.T. to handle)

14. Matters for the good of the community. (These may be presented by interested persons in the audience.)

None

ORDINANCES

15. Final adoption of Ord. No. 1906-C.S. amending the Massage Ordinance. (Continued from January 8, 1980, meeting. Motion adopting needed.)

ACTION: By motion (Bright/Muratore, majority, Elliott & Siefkin-no, Kullijian absent) amended Ord. No. 1906-C.S. adopted. (Clerk to handle)

CONSENT

16. Final adoption of Ord. No. 1907-C.S. rezoning from R-1 to P-D(252) for patio houses and townhouses on Prescott Road and Veneman. (Joaquin Construction, Regency Park Group)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 1907-C.S. adopted (Clerk to handle)

NEW BUSINESS

CONSENT

17. Amendment to credit agreement with Crocker National Bank.
(Memo with agenda. Resolution approving amended credit agreement needed.)

ACTION: Res. 80-47 adopted approving amended credit agreement. (Planning to handle)

CONSENT

18. Consider approval of final map of Chablis Lane subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Danita Corporation. (The subdivision agreement has been signed and all fees paid. Chablis Lane subdivision is located south of California Avenue, west of Carpenter Road. It contains 7.949 acres. Resolution approving final map needed.)

ACTION: Res. 80-48 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider approval of the final map of Orangeburg Plaza subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Orangeburg Plaza Group.
(The subdivision agreement has been signed and all fees paid. Orangeburg Plaza is located at the southwest corner of Claus Road and East Orangeburg Avenue. It contains 7.695 acres. Resolution approving final map needed.)

ACTION: Res. 80-49 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider acceptance of improvements in Martin Manor subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Rule Enterprises.
(Martin Manor subdivision is located between Laurel Avenue and Modesto Irrigation District Lateral No. 4, east of Emerald Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 80-50 adopted accepting improvements. (Clerk to handle)

CONSENT

21. Consider declaring City equipment No. 30148, a 1978 Ford Courier pickup truck, surplus property and authorize the sale of the vehicle to Crawford Insurance Company for \$625.
(The City truck was recently involved in an accident and has been damaged beyond repair. Crawford Insurance Company is reimbursing the City for the damages and has offered to purchase the truck for its appraised salvage value. Based on past experience, it is highly unlikely the City would achieve better prices by placing the unit in the annual City surplus property auction. Resolution declaring equipment No. 30148 surplus property and authorizing the sale of the equipment to Crawford Insurance Company needed.)

ACTION: Res. 80-51 adopted declaring equipment surplus. (Finance to handle)

22. Consider dropping the purchase of two used buses from Santa Clara County Transit District.
(Memo with agenda. Since the new Gillig buses have arrived, the need for the two used buses has been eliminated. Motion directing staff needed.)

ACTION: By motion (Siefkin/Muratore, unan., Kullijian-absent) approved staff recommendations not to purchase buses. (P.T. to handle)

CONSENT

23. Consider approval of agreement between the City of Modesto and Guarantee Savings and Loan Association for sanitary sewer on Woodland Avenue.
(The developer has constructed a sanitary sewer line in Woodland Avenue between Mercy Avenue and Peek Avenue to serve lots in Woodland Estates subdivision. The agreement provides that the City will act as agent for the developer in refunding a share of the cost when other parcels on the north and south side of Woodland Avenue desire service. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-52 adopted approving agreement. (P.W. to handle)

CONSENT

24. Consider amendment to agreement with Jenks & Harrison concerning professional engineering services for wastewater treatment plant improvements. The amendment provides for the assignment of existing agreement to a newly-formed engineering firm to be known as Kennedy/Jenks Engineers, Inc.
(The firm of Jenks & Harrison has merged with Kennedy Engineers of San Francisco effective January 1, 1980, to become Kennedy/Jenks Engineers, Inc. Kennedy Engineers is a long-established and well thought of professional organization. The joining of the Jenks firm with Kennedy Engineers provides for a much stronger firm in all areas of professional engineering. It is recommended that the amendment to the agreement with Jenks & Harrison transferring their interests to the newly-formed organization be approved. Resolution approving the amendment needed.)

ACTION: Res. 80-53 adopted approving the amendment. (P.W. to handle)

CONSENT

25. County referral of Open Space Contract, No. 80-3741, Wolfgang Bach, east side of Oakdale Road, 1/4 mile south of Claribel Road, 4712 Oakdale Road. (Memo and map with agenda. Resolution expressing recommendation of opposition needed.)

ACTION: Res. 80-54 adopted expressing recommendation of opposition. (Planning to handle)

REPORTS

CONSENT

26. Presentation of Financial Statement for December, 1979. (Copies of report with the agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged,

APPROPRIATION TRANSFERS

CONSENT

27. Appropriation transfer of \$1,500 to pay for completed audits of the Revenue Sharing Fund and the Antirecession Fiscal Assistance Fund. (The audit contract was awarded to the new City auditors after the budget was complete. The \$7,500 original budgeted was insufficient to cover the cost of auditing the City's records plus these two audits required by the Federal Government. Resolution approving appropriation transfer needed.)

ACTION: Res. 80-55 adopted approving appropriation transfer. (Finance to handle)

CONSENT

28. Request for transfer of \$3,800 from General Reserve to Personnel Office's "Advertising, Legal and Other" account for recruitment notices. (Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 80-56 adopted approving appropriation transfer. (Finance to handle)

MISCELLANEOUS

29. Appointments
None
30. Legislation
None

31. Matters too late for the agenda

ACTION: The Mayor asked Councilmembers to look at the information regarding landscaping so a decision can be made as to whether a "letter program" might be successful.

Adjourned at 5:20 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 22, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore,
Siefkin, Mayor Mensinger

Absent: Councilmember Kullijian

Pledge of allegiance to the Flag

Invocation: Rev. John Asimacopoulos, Greek Orthodox Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 5, 6, 7, 9, 10, 11, 18, 20, 21, 22,
23, 24, 25, 27, 28, 29, 30, 31, 35, 33,
36(a)

DROPPED FROM AGENDA: 26

ACTION: (Lang/Siefkin, unan., Kullijian absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the regular City Council meeting of January 15, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Monroe Taylor on behalf of the Westside Ministers' Alliance regarding the gambling ordinance.

ACTION: By motion (Elliott/Siefkin, unan., Kullijian absent) the matter referred to staff to study, working with the Westside Ministers' Alliance, and report back as soon as possible. (Police)

3. Letter from Richard O. Loughmiller, Chairman of the Neighborhood Advisory Committee No. 2, regarding the housing program.

ACTION: By motion (Lang/Siefkin, unan., Kullijian absent) this matter referred to the Housing & Community Development Committee for consideration and report to Council (Planning to handle)

4. Letter from Tony Pinheiro, President of Modesto Elks Babe Ruth League, requesting funds for new leagues.

ACTION: By motion (Elliott/Lang, unan., Kullijian absent) request referred to the regular budget process for the coming fiscal year. (Finance to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for remodeling of building at 11th and F Streets for use by the Fire Prevention Bureau. (Suggested bid opening: February 12, 1980 at 11:10 a.m. This project will provide offices for the Fire Prevention Bureau adjacent to Fire Station No. 1. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$75,000. Funds are budgeted.)

ACTION: Res. 80-57 adopted calling for bids. (P.W. to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for heater remix and resurface 1980. (This project has been budgeted to rejuvenate H, I & J Streets in the downtown area. Suggested bid opening: February 12, 1980, 11:00 a.m. Resolution approving plans and specifications and calling for bids. Estimated Cost: \$122,000 (Contract \$110,764.40; Eng. & Contg. \$11,235.60) Funds are budgeted.)

ACTION: Res. 80-58 adopted calling for bids, (P.W. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids to repaint various street lighting poles and post tops, (This is the second year of a 5 year program to repaint old street light poles. Suggested bid opening: February 12, 1980 at 11:05 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$40,668 (Contract \$39,326; Eng. & Contg. \$1,342) Funds are budgeted.)

ACTION: Res. 80-59 adopted calling for bids, (P.W. to handle)

8. Consider declaring Motorola, Inc. low bidder meeting City specifications and authorize award of contract for one Police Satellite Radio Receiving System for the total price of \$11,359.00. Consider declaring General Electric Company low bidder meeting City specifications and authorize the award of contract for one Rapid Transit Radio System for the total price of \$33,342.59. (Memorandum with agenda. 1. Resolution authorizing award of contract for Police Satellite Radio Receiving System; 2. Resolution authorizing award of contract for Rapid Transit Radio System needed. Funds are budgeted.)

ACTION: Res. 80-60 adopted (Bright/Elliott, unan., Kullijian absent) accepting bid of Motorola Inc. for furnishing one satellite radio receiving system.

Res. 80-61 adopted (same vote) accepting the bid of General Electric for furnishing one rapid transit radio system. (Finance to handle)

CONSENT

9. Approve plans and specifications and call for bids for the installation of wheel chair ramps at various City parks. (Bid opening: February 5, 1980, 11:15 a.m. This project will provide needed wheel chair ramps at Davis Park, Woodrow Park, Sherwood Park, Downey Park, Enslin Park, Graceada Park, 17th & G Park, Moran Estates Park, Marshall Park, Catherine Everett Park, John Muir Park. Resolution approving plans and specifications and calling for bids needed; and resolution approving appropriation transfer needed. Estimated Cost: \$27,500 (Contract \$26,500 - Inspection \$1,000) Funds are partially budgeted.)

ACTION: Res. 80-62 adopted calling for bids, (P.W. to handle)
Res. 80-63 adopted approving appropriation transfer.

CONSENT

10. Consider approving specifications and authorize call for bids to be opened February 19, 1980, at 2:00 p.m., for furnishing one new industrial tractor. (The tractor is being requested by the Public Works Service Division and will be permanently dispatched to Public Works Garden Refuse crews. The tractor will be used with a flail mower to mow lots and right of ways; with a power broom it can be used to push leaves during the heavy leaf season. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$15,000. Funds are budgeted.)

ACTION: Res. 80-64 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider declaring the following computer equipment surplus property and authorizing the Purchasing Officer to advertise and sell to the highest bidder: 1 ea. - Burroughs B1716 Central Processor; 1 ea. - Burroughs B9245-6 Printer; 1 ea. - Burroughs B9481-12 Disk Cartridge Drive; 1 ea. - Burroughs Printer Cover. (Equipment was replaced by a new Burroughs 1855 Central Computer System purchased through lease/purchase agreements with the Bank of America. Resolution declaring property surplus and authorizing the Purchasing Officer to advertise and sell to the highest bidder needed.)

ACTION: Res. 80-65 adopted declaring property surplus. (Finance to handle)

12. Consider annulment of award of contract, and ordering forfeiture of bid bond (\$2,398) by the low bidder, Fries Landscape Company, for installation of play apparatus in Sylvan Neighborhood Park and award the contract to the second low bidder, Playgrounds Unlimited. (Bids were opened December 11, 1979 for this project. Contract documents were mailed to Fries Landscape Company December 20, 1979. The specification requires that contract documents be returned to City within 10 working days. Twenty seven calendar days have elapsed since contract documents were mailed by the City Attorney's Office. Staff recommends that contract with low bidder, Fries Landscape Co. be annulled, that the bid bond be forfeited and the contract awarded to the second low bidder, Playgrounds Unlimited, all as provided for in the specifications. The second low bid is \$24,995. This is \$1,015 above the low bid. Copy of letter to Fries Landscape Company dated January 16, 1980 with agenda. Resolution annulling award of contract, and ordering forfeiture of bid bond (\$2,398) by low bidder and awarding contract to second low bidder, Playground Unlimited needed. Estimated Cost: \$26,042 (Contract \$24,995, Eng. & Contg. \$1,047) Funds are budgeted.)

ACTION: A motion to annul the award of contract with the low bidder's bond to be forfeited, failed to receive a second.

Res. 80-66 adopted (Muratore/Elliott, unan., Kullijian absent) the award of contract was annulled, contract awarded to the second low bidder, and the amount of the bid bond equal to the difference between the bids to be forfeited with the balance to be returned to Mr. Fries.

HEARINGS

13. Hearing on amendment to P-D(76) to allow a 24-unit condominium conversion, property located on the southeast corner of Lucern Avenue and El Vecino (Virginia Berg), No. 1

ACTION: By motion (Lang/Bright, unan., Kullijian absent) Ord. No. 1912-C.S. introduced, Res. 80-67 adopted (same vote) approving amendment, (Clerk/Planning to handle)

14. Hearing on amendment to P-D(221) increasing the number of dwelling units from 135 to 142, property located west of Crows Landing Road and south of Imperial Avenue. (Herron and Sarina) No. 2

ACTION: By motion (Muratore/Siefkin, unan., Kullijian absent) Ord. No. 1913-C.S. introduced, Res. 80-68 adopted (same vote) approving amendment, (Clerk/Planning to handle)

15. Hearing on proposed Community Development Block Grant application for fiscal year 1980-81. No. 3
(Proposed application has been reviewed by the Housing Maintenance and Counseling Subcommittee and the Citizens Housing and Community Development Committee. Both committees recommend approval. Resolution approving application needed.)

ACTION: Res. 80-69 adopted (Muratore/Siefkin, unan., Kullijian absent) approving application. (Planning to handle)

16. Hearing on amending the Conflict of Interest Codes of the City Manager's Department, adding the position of Public Services Officer, the Parking & Traffic Department, adding the position of Civil Engineering Tech III, and the Public Works Department, changing the title of Equipment Repair Shop Supervisor to Shop Supervisor, and deleting the position of Public Services Inspector on the departments' lists of designated employees. No. 4

ACTION: Res. 80-70 adopted (Elliott/Bright, unan., Kullijian absent) amending the City Manager's Conflict of Interest Code.
Res. 80-71 adopted (same vote) amending the Parking & Traffic Department Conflict of Interest Code.
Res. 80-72 adopted (same vote) amending the Public Works Department Conflict of Interest Code. (Clerk to handle)

17. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

ACTION: Mayor Mensinger introduced Robert Taro, Farm-City Advisory Committee.

ORDINANCES

CONSENT

18. Final adoption of Ord. No. 1908-.S. rezoning from R-1 to P-0, property located on the south side of Floyd west of Coffee Road. (Croft/Joaquin Construction)

ACTION: By motion, Ord. No. 1908-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

19. Further consideration of Jennie-Grand bridge project.
(Memo with agenda. It appears that the project is being delayed one year. It is recommended that we ask the California Transportation Commission to build the project in 1984-85 as promised. Motion authorizing Mayor to send a letter to the Commission and authorizing follow up as needed.)

ACTION: By motion (Siefkin/Bright, unan., Kullijian absent) Mayor authorized to send letter and follow up as needed. (P.T. to handle)

NEW BUSINESS

CONSENT

20. Consider acceptance of improvements in Vinewood subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Vinewood Apartments)
(Vinewood subdivision is located south of Standiford Avenue between Hahn Drive and Conant Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-73 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Consider resolutions authorizing the City Manager to submit two grant renewals for the second year continuation of the Community Service Officer Program in the Police Department.
(Memo with agenda. Two resolutions authorizing the City Manager to sign the two grant renewals needed.)

ACTION: Res. 80-74 adopted authorizing the City Manager to sign grant application funded in part under the provisions of the Juvenile Justice Act.
Res. 80-75 adopted authorizing the City Manager to sign grant application funded in part by Omnibus Crime Control & Safe Streets Act of 1968. (Police to handle)

CONSENT

22. Consider approving an Airport concession agreement with Dennis P. Whipple and Paula B. Whipple dba Whipple Aviation.
(The Whipples have a night aerial advertising service. This agreement is for \$25 per month of 2-1/2% of the gross. The agreement is consistent with other Airport concession agreements. Resolution approving agreement needed.)

ACTION: Res. 80-76 adopted approving agreement. (P.W. to handle)

CONSENT

23. Consider authorizing a monthly student bus pass and student bus fare of 15 cents. (Memo with agenda. The increase in student ridership necessitates a more convenient student fare structure. Resolution authorizing the monthly student bus pass and student cash fare of 15 cents needed.)

ACTION: Res. 80-77 adopted authorizing the monthly student bus pass and student cash fare structure. (P.T. to handle)

CONSENT

24. Consider authorizing letter of support of SOSOP grant application for four vans. (Memo with agenda. The four vans are expected to be delivered in 1982 and will replace the existing four vans used on the City's Dial-A-Ride transit service. Motion directing staff to provide SOSOP with a letter supporting their grant application needed. Estimated cost: \$6,000; no expenditure is expected to be incurred until 1982.)

ACTION: By motion, letter of support approved. (P.T. to handle)

CONSENT

25. Reduced speed limit, Dale Road between Veneman and Snyder. (Memo with agenda. Change reduces present 55 mph limit to 45 mph, non-radar enforceable. Motion introducing ordinance needed. Estimated cost: \$60; funds are budgeted.)

ACTION: By motion, Ord. No. 1914-C.S. introduced. (Clerk to handle)

CONSENT

26. Consider approval of agreement with Dennis Dickerson & Associates for preparation of plans and specifications for construction of Fire Station No. 7. (Memo with agenda. Resolution approving agreement needed. Estimated cost: \$9,900; funds are budgeted.)

DROPPED FROM AGENDA.

CONSENT

27. Consider acceptance of improvements in Sheldon Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Harry W. and Inez Lorraine Elliott and Carl E. and Patricia L. Cox)
(Sheldon Estates subdivision is located at the northeast corner of Sheldon Drive and Janet Drive, west of Carver Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-78 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

28. Consider authorizing mid-block pedestrian crosswalk across Scenic Drive at Scenic General Hospital.
(Memo with agenda. About 50 bus patrons cross Scenic at this location daily and an additional painted crosswalk is recommended. Resolution authorizing mid-block crosswalk needed. Estimated cost: \$25; funds are budgeted.)

ACTION: Res. 80-79 adopted authorizing mid-block crosswalk. (P.T. to handle)

CONSENT

29. Recommend to the Council an amendment to Section 19-3-10 of the Zoning Map - Modesto Development.
(On January 7, 1980, the Planning Commission adopted Resolution 80-9 recommending to the Council an amendment to Section 19-3-10 of the Zoning Map to prezone to P-D(256) to allow a zero lot line patio house development on the east side of Claus Road, south of E. Orangeburg. Resolution setting public hearing February 19, 1980, 4:00 p.m. (Hearing No. 1) needed.)

ACTION: Res. 80-80 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend to Council an amendment to P-D(229) - Rule Enterprises.
(On January 7, 1980, the Planning Commission adopted Resolution 80-11 recommending to the Council an amendment to P-D(229) to allow medical office condominium on the west side of Coffee Road north of Lucern Avenue. Resolution setting public hearing February 26, 1980, 7:30 p.m. (Hearing No. 1) needed.)

ACTION: Res. 80-81 adopted setting hearing. (Clerk to handle)

CONSENT

31. Consider response to LAFCO regarding the Claus-Dry Creek annexation.
(LAFCO has referred the proposed Claus-Dry Creek annexation to the City of Modesto for review. It contains 29.15 acres located on the east side of Claus Road north of Dry Creek. Memo, maps and questionnaire with agenda. Resolution responding favorably to the proposed annexation with conditions needed.)

ACTION: Res. 80-82 adopted responding favorably to the proposed annexation with conditions. (Planning to handle)

REPORTS

32. Staff report on proposed golf course rates.
(A staff report reviewing the golf clubs' recommendations which were presented at the January 15th Council meeting is with agenda. Resolution setting new golf course rates effective February 1, 1980 needed.)

ACTION: Res. 80-83 adopted (Lang/Elliott, unan., Kullijian absent) approving new rates effective February 1, 1980, as recommended by the staff. (P.R. to handle)

CONSENT

33. Modesto Farmer's Market, Revised Conditions.

(The Farmer's Market Association has requested certain changes in their conditions of operation, including adding a Wednesday morning market, change in licensing procedures, permission for temporary identification signs, and permission to mark selling areas. A staff memo outlining staff recommendations is attached. Resolution approving Modesto Farmer's Market subject to revised conditions needed.)

ACTION: Res. 80-84 adopted approving Modesto Farmer's Market subject to revised conditions. (Planning to handle)

34. Consider request of Mr. Bruce Blizzard to have a four way stop sign installed at Clevenger Drive at Longbridge.

(This matter was before the Council on November 6, 1979, and was referred to staff to conduct speed surveys on Clevenger Drive. Speed surveys and reports from Parking and Traffic and the Police Department give additional details. Motion to approve or deny the request for a four way stop sign needed.)

ACTION: By motion (Lang/Siefkin, majority, Elliott-no, Kullijian absent) permanent 4-way stop signs are to be installed at Clevenger and Longbridge. (P.T.)

APPROPRIATION TRANSFERS

CONSENT

35. Consider an appropriation transfer of \$10,000 from the Service Division Reserve to the Equipment Damage Repair account.

(The 1979-80 budget included \$14,500 in Account No. 334-480-512 Equipment Damage Repair. This provides for the repair of Police cars and General Government vehicles damaged and all the budgeted funds have now been spent or encumbered. See memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 80-85 adopted approving appropriation transfer. (Finance to handle)

MISCELLANEOUS

36. Appointments

CONSENT

- (a) Recommendation from the Planning Commission that Carole Davis be reappointed to the Board of Zoning Adjustment as a representative of the Planning Commission. (On January 7, 1980, the Planning Commission adopted Resolution 80-6 recommending to the City Council the reappointment of Carole Davis to the Board of Zoning Adjustment as a representative of the Planning Commission for one year, her term to expire January 1, 1981. Resolution reappointing Carole Davis as the Planning Commission representative on the Board of Zoning Adjustment needed.)

ACTION: Res. 80-86 adopted reappointing Carole Davis as the Planning Commission representative on the Board of Zoning Adjustment. (Planning to handle)

(b) Other Appointments

ACTION: Res. 80-87 adopted (Siefkin/Muratore, unan., Kullijian absent) reappointing Paul W. Hall and Donald L. Vance to the Board of Building Appeals.

Res. 80-88 adopted (same vote) reappointing Louis Galindez to the Board of Zoning Adjustment.

(b) Other Appointments(continued)

ACTION: Res. 80-89 adopted (same vote) reappointing Colleen Bare to the Culture Commission.

Res. 80-90 adopted (same vote) reappointing Stanley L. Farrow to the Personnel Commission.

Res. 80-91 adopted (same vote) reappointing Carole Davis to the Planning Commission. (Planning to handle)

Res. 80-92 adopted (Lang/Siefkin, unan., Kullijian absent) appointing the following persons to the Charter Review Committee:

Clyde Dunlap, Chairman	Bev Jones
Marty Ashleigh	Jay Loschke
Dale Butler	Larry Martin
Ray Feller	Les May
Jim Harding	Joyce McCown
Stanley Hedberg	Kate Mundschau
Odessa Johnson	Lucile New
G. Dale Smith	Dr. Harry Wisner

Res. 80-93 adopted (Siefkin/Lang, unan., Kullijian absent) electing Robert Elliott as Acting Mayor during the absence of the Mayor and Vice Mayor from January 23, 1980 to February 1, 1980.

37. Legislation

None

38. Matters too late for the agenda.

None

Adjourned at 10:25 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 5, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore,
Mayor Mensinger

Absent: Councilmember Siefkin

Pledge of allegiance to the Flag

Invocation: Rev. Paul Hale, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 16, 19, 20,
21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32
ACTION: (Lang/Elliott, unan., Siefkin absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

Mayor Mensinger introduced the "Happy Smiles" Bluebirds, a division of Campfire Girls.

MINUTES

CONSENT

1. Approval of minutes of the January 22, 1980, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Dennis Wilson, Mid-Valley Engineering, Inc., regarding the use of improvement districts for the construction of off-site improvements in the West Campus Business Park at Blue Gum and Carpenter.
(Mr. Wilson requests that this item be considered immediately following item No. 10, the hearing concerning P-D(148.)
This item considered after item 10.

ACTION: By motion (Elliott/Muratore, unan., Siefkin absent) this item was continued for three weeks for further study.

CONSENT

3. Application by James A. Knowles and Associates to file a late claim for water damage to property at 1400 Florida Avenue, Modesto.
(Resolution denying request needed.)

ACTION: Res. 80-94 adopted denying request.

(Clerk to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for the sand blasting and coating of steel portions of clarifier No. 1 at the City of Modesto Water Quality Control Plant.
(Suggested bid opening: February 19, 1980 at 11:05 a.m. The existing paint system has worn away and the metal is deteriorating. Unless recoating is performed major replacement of metal parts will be necessary. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$23,700 (Contract \$22,500, Eng. \$1,200). Funds are budgeted.)

ACTION: Res. 80-95 adopted calling for bids. (P.W. to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the clearing and grubbing of Police parking lot at 610-10th Street.
(Suggested bid opening: February 19, 1980 at 11:10 a.m. This work is needed in order to construct a new parking lot required by the Police Department. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$17,600 (Contract \$16,000, Eng. \$1,600). Funds are budgeted.)

ACTION: Res. 80-96 adopted calling for bids. (P.W. to handle)

CONSENT

6. Approve plans and specifications and call for bids for air conditioning system modification in City Council Chambers.
(Bid opening: February 26, 1980, 11:00 a.m. This project will provide a separate air conditioning unit for the Council Chambers. The project will conserve energy by not using the main building air conditioner during night council meetings. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$26,400 (Contract \$24,650, Eng. & Contg. \$1,750). Funds are budgeted.)

ACTION: Res. 80-97 adopted calling for bids. (P.W. to handle)

CONSENT

7. Consider approval of plans and specifications for the construction of the storm flow bypass and the reconstruction of existing manholes on outfall sewer line.
(Suggested bid opening: February 19, 1980 at 11:00 a.m. The installation of this system will allow bypass of storm water directly to the ponding system during excessive rainfall. This will alleviate accumulation of sand at the primary plant. Also the pressuration of manholes is required in order to increase pumping rate from main WQCP to remote pond site. Resolution approving plans and specifications and call for bids needed and resolution approving appropriation transfer needed. Estimated cost: Construction \$57,216.50; Engr, \$5,721.65; Total \$62,938.15; funds are budgeted.)

ACTION: Res. 80-98 adopted approving plans and calling for bids. (P.W./Finance to handle)
Res. 80-99 adopted approving appropriation transfer. (P.W./Finance to handle)

CONSENT

8. Consider acceptance of Mac's Backhoe Services contract for construction of waterline extension in California Avenue from Carpenter to Panama (Original contract: \$47,257.40).
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost, Contract: \$47,330.70 (Main \$44,990.70, Services \$2,340.00). Funds are budgeted.)

ACTION: Res. 80-100 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider waiving formal bid procedures by five affirmative votes and authorize the purchase of two Garden Refuse packer trucks from C & C Trailer and Body Company for the total price of \$128,206.00
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-101 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

HEARINGS

10. Continued hearing on Mid-Valley Engineering's request for amendment to P-D(148) located at the southwest corner of Blue Gum and Carpenter (Fisher Land Corp.).
(This matter continued from the Council meeting of December 11, 1979.) No. 1

ACTION: By motion, (Lang/Muratore, unan., Siefkin absent) Ord. No. 1915-C.S. amending P-D(148) introduced.

Res. 80-102 adopted (same vote) approving revised plan. (Clerk to handle)

11. Hearing on proposed Crows Landing-Whitmore Annexation to the City of Modesto. No. 2

ACTION: Res. 80-103 adopted (Elliott/Muratore, unan., Siefkin absent) annexing. (Clerk to handle)

12. Hearing on proposed Chicago Avenue Annexation to the City of Modesto. No. 3

ACTION: Res. 80-104 adopted (Muratore/Kullijian, unan., Siefkin absent) annexing. (Clerk to handle)

13. Hearing on proposed Standiford-Carver No. 2 Annexation to the City of Modesto. No. 4
ACTION: Res. 80-105 adopted (Lang/Muratore, unan., Siefkin absent) annexing Standiford-Carver No. 2.
 Res. 80-106 adopted (same vote) electing not to succeed to California Land Conservation Act Contract (Rose E. Caster)
 Res. 80-106A adopted (same vote) electing not to succeed to California Land Conservation Act Contract (Elwin E. Young) (Clerk to handle)
14. Hearing to amend Sections 7-3-9 and 18-3-9 of the Zoning Map rezoning from R-1 to P-D(254), property located on the north side of Rumble Road, east of Prescott Road. (Irwin Steinpress) No. 5
ACTION: By motion (Kullijian/Elliott, unan., Siefkin absent) Ord. 1916-C.S. introduced rezoning.
 Res. 80-107 adopted (same vote) approving plan.
 Res. 80-108 adopted (same vote) certifying review of environmental impact. (Clerk/Planning to handle)
15. Matters for the good of the community.
 (These may be presented by interested persons in the audience.)
 None

ORDINANCES

CONSENT

16. Final adoption of the following:
- a. Ordinance No. 1909-C.S. amending P-D(131) to allow construction of a self-service gas pump island, Rule-Dale Lincoln Mercury Dealership located on McHenry south of Union Avenue (Rule Enterprises).
 - b. Ordinance No. 1910-C.S. amending the Modesto Municipal Code relating to Planning Commission zoning hearings.
 - c. Ordinance No. 1911-C.S. extending The Transadtise Company's bus bench franchise to December 31, 1985.
 - d. Ordinance No. 1912-C.S. amending P-D(76) to allow a condominium conversion, property located on the corner of Lucern and El Vecino (Virginia Berg).
 - e. Ordinance No. 1913-C.S. amending P-D(221) increasing number of dwelling units from 135 to 142, Crows Landing Road and Imperial Avenue (Herron & Sarina).
 - f. Ordinance No. 1914-C.S. amending Modesto Municipal Code relating to speed limits.
 (Motion adopting needed.) (Clerk to handle)
- ACTION: By motion, ordinances adopted. (Clerk to handle)

NEW BUSINESS

17. Consider preliminary design of interim bus terminal.
(Memo with agenda. Staff is ready to proceed with detailed design work on this project. If the City Council would like to comment on the preliminary design, it would be appropriate to do so at this time. Motion directing staff needed. Estimated cost: \$48,400; funds are budgeted.)

ACTION: By motion (Elliott/Kullijian, unan., Siefkin absent) staff and consulting engineer directed to design a temporary facility, including public restrooms, and present the plans to the Council with cost figures. (P.T. to handle)

18. Consideration of plan for distribution of sales tax revenue between Stanislaus County and the cities of Stanislaus County.
(A copy of the County's resolution for sales tax distribution and a copy of the City's proposed resolution for distribution are being sent with the agenda. Memo with agenda. Resolution setting forth proposed plan for distribution of sales tax revenues and motion introducing two ordinances amending Sales and Use Tax provisions of the Modesto Municipal Code needed.)

ACTION: Res. 80-109 adopted (Lang/Elliott, unan., Siefkin absent) setting forth proposed plan for distribution of sales tax revenues.

By motion (same vote) Ord. No. 1917-C.S. introduced amending sections 8-2.402, 8-2.403 and 8-2.404 of Art. 4, Ch. 2, of Title VIII.

By motion (same vote) Ord. No. 1918-C.S. introduced amending section 8-2.501 of Art. 5, Ch. 2, of Title VIII. (Finance/Clerk to handle)

CONSENT

19. Consider approval of revision to the class specifications for Planning Technician II and Planning Technician III.
(Memo with agenda. Resolution revising position classifications in the Position Classification Plan needed.)

ACTION: Res. 80-110 adopted revising Position Classification Plan for Planning Technician II and Planning Technician III. (Management Services to handle)

CONSENT

20. Consider revisions to Environmental Checklist.
(Memo with agenda. Resolution amending Environmental Guidelines needed.)

ACTION: Res. 80-111 adopted amending Environmental Guidelines. (P.W. to handle)

CONSENT

21. Consider LAFCO questionnaire regarding the Carpenter Road No. 2 Annexation.
(Property owners have requested annexation of approximately 31.5 acres located on the west side of Carpenter Road between Woodland Avenue and Torrid Avenue. Memo, map and questionnaire with agenda. Resolution approving LAFCO questionnaire needed.)

ACTION: Res. 80-112 adopted approving LAFCO questionnaire. (Clerk to handle)

CONSENT

22. Consider LAFCO questionnaire regarding the Roselawn-Rouse Governmental Reorganization.
(Property owner has requested annexation of approximately 1 acre located on the southwest corner of Rouse Avenue and Roselawn Avenue. Memo, map and questionnaire with agenda. Resolution approving LAFCO questionnaire needed.)

ACTION: Res. 80-113 adopted approving LAFCO questionnaire. (Clerk to handle)

CONSENT

23. Consider request for sewer service extension to property located at 1731 Crows Landing Road. Owners: Jose Bautista and Maria Bautista.
(This property is located on the west side of Crows Landing Road between Butte Avenue and Colusa Avenue. The property is contiguous to City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-114 adopted approving agreement. (P.W. to handle)

CONSENT

24. Consider approval of agreement with Dennis Dickerson & Associates for preparation of plans and specifications for construction of Fire Station No. 7.
(The agreement provides for the preparation of plans for Fire Station No. 7 at a cost of \$9,900. The balance of the agreement is essentially the same as entered into with other professional consultants. Resolution approving agreement needed. Estimated cost: \$9,900; funds are budgeted.)

ACTION: Res. 80-115 adopted approving agreement. (P.W. to handle)

CONSENT

25. Consider approval of agreement for reimbursement of sewer costs incurred by Willie Owens.
(Mr. Owens has constructed a sewer lateral which serves properties other than his own. The standard agreement provides for the City to reimburse him as monies are collected from adjacent property owners. Resolution approving agreement needed.)

ACTION: Res. 80-116 adopted approving agreement. (Finance to handle)

CONSENT

26. Consider approving lease agreement with Arnold W. Romey and Marilyn Romey for lease of the former Zakarian house located on future Airport Neighborhood Park.
(This is a one-year lease. The rent is \$335 with lessee paying taxes, utilities and maintenance. Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 80-117 adopted approving lease agreement. (P.W. to handle)

CONSENT

27. Proposal to create alley pedestrian overpass to garage on 11th Street between I and J Streets. Resolution
(Memo with agenda. / setting informal hearing February 26, 1980, at 7:30 p.m. (Hearing No. 3) needed.)

ACTION: Res. 80-118 adopted setting informal hearing. (Clerk to handle)

CONSENT

28. Requirement for construction of curbs and/or sidewalks at the following locations: (78/03/03 - 80-01/01)
(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting hearing on February 26, 1980 at 7:30 p.m. (Hearing No. 2) needed.)

- a. Sidewalk at 125 Griswold Avenue, Lot 3 of Block 727.
(DeKleva, Chenault and Campbell)
- b. Sidewalk along Griswold Avenue at 814 Magnolia Avenue, a portion of Block 708. (Thomas J. Drew)
- c. Sidewalk along Griswold Avenue at 319 Griswold Avenue, Lots 18-21 of Block 725. (Dan E. Fleming)
- d. Sidewalk along Griswold Avenue at 815 Magnolia Avenue, a portion of Block 709. (Kenneth L. Hill Jr.)
- e. Sidewalk along Griswold Avenue at 520 Griswold Avenue, a portion of Block 714. (Irene Hirschl)
- f. Sidewalk along Griswold Avenue at 814 Geer avenue, Lot 8 of Block 706. (Arthur I. Jennison)
- g. Sidewalk at 126 Griswold Avenue, Lot 7 of Block 706.
(Ian C. Kirkpatrick)
- h. Sidewalk along Griswold Avenue at 900 Magnolia Avenue, a portion of Block 726. (Francis H. Ondras)
- i. Sidewalk along Griswold Avenue at 829 Brady Avenue, a portion of Block 714. (Frank Paradis)
- j. Sidewalk along Griswold Avenue at 206 Griswold Avenue, Lot 15 of Block 706. (Joseph A. Saletta)

- k. Sidewalk at 1510 Cherrywood Drive, Lot 5 of Block 6018.
(Ralph D. Hutchinson)
- l. Curb and sidewalk at 112 Kerr Avenue, a portion of Block 2122.
(Kentwood Enterprises)
- m. Curb and sidewalk along Evergreen Avenue at 1533 Grape Avenue,
Lot 1 of Block 6107. (Marshall V. Perry)
- n. Sidewalk along Corson Avenue at 155 Corson Avenue, Lot 19 Block 652.
(Fred R. Spohn)

(Resolution setting hearing on February 26, 1980, at 7:30 p.m. (Hearing No. 2) needed.)

ACTION: Res. 80-119 adopted setting hearing.

(Clerk to handle)

CONSENT

- 29. Recommend to Council an amendment to P-D(168), Rosegate Investment Group.
(On January 21, 1980, the Planning Commission adopted Resolution 80-26 recommending to the Council an amendment to P-D(168), property located on the north corner of Scenic Drive west of Rose Avenue to permit condominiums. Resolution setting hearing on February 26, 1980, at 7:30 p.m, (Hearing No. 4) needed.)

ACTION: Res. 80-120 adopted setting hearing.

(Clerk to handle)

REPORTS

- 30. Public Projects Committee report on annual growth policy review.
(Public Projects Committee recommendations concerning growth policy. Memo and information packet were distributed previously. Motion adopting Public Projects Committee recommendations needed.)

ACTION: By motion (Elliott/Bright, unan., Siefkin absent) Council accepted and approved recommendations with item 6 amended. (Planning to handle)

Councilmember Lang excused at 6:55 p.m.

CONSENT

- 31. Quarterly report by the Modesto Chamber of Commerce.
(Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

APPROPRIATION TRANSFERS

CONSENT

- 32. Consider approval of an appropriation transfer of \$88,000 from the Sewerage Division Reserve for the purchase of backup Wastewater Treatment Plant pumping units and spare parts.
(Flows have increased to the Wastewater Treatment Plant necessitating all pumping units now be operated to handle the effluent. During peak flows there are no spare units available to handle breakdowns. Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 80-121 adopted approving appropriation transfer.

(Finance to handle)

MISCELLANEOUS

33. Appointments

None

34. Legislation

ACTION: By motion (Kullijian/Bright, unan., Lang & Siefkin absent) ACA56 opposed.
By motion (Kullijian/Bright, unan., Lang & Siefkin absent) S.C.A. 26 supported.

35. Matters too late for the agenda.

None

Adjourned at 7:00 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 12, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent:

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23

ACTION: Siefkin/Muratore, unan.

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the regular City Council meeting of February 5, 1980. (Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

2. Letter from the Camellia Society of Modesto requesting the City to again contribute the Sweepstakes Trophy. (Resolution approving request needed.)

ACTION: Res. 80-122 adopted approving request. (Finance to handle)

BIDS

CONSENT

3. Consider approving specifications and authorize call for bids to be opened March 4, 1980, at 2:00 p.m. for furnishing one aerial platform. (Requested by the Public Works Service Division, the equipment will be permanently dispatched to the Parks and Recreation Tree Division. The platform will allow tree crews to maintain young/intermediate trees that are too large to reach with ladders and too small to reach with hi rangers. There are approximately 17 thousand trees that fall in this category requiring the equipment to be used all year round. The platform will not replace any similar equipment presently in service. Resolution approving specifications and authorize call for bids needed. Estimated Cost: \$28,000. Funds are budgeted.)

ACTION: Res. 80-123 adopted approving call for bids.

(Finance) 2/12/80

CONSENT

4. Consider waiving formal bid procedures and authorize the purchase of eight silent radio burglary alarms and eight stakeout cameras from the Varda Company for the total purchase price of \$15,137.37.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase. Estimated Cost: Alarms - \$10,091.77; Cameras - \$5,045.60. Funds are budgeted.)

ACTION: Res. 80-124 adopted waiving formal bid and authorizing purchase. (Finance to handle)

CONSENT

5. Consider award of contract for the installation of wheel chair ramps at various City parks.
(Bids were opened February 5, 1980. The low bid of \$15,485 submitted by W. Gale Fisher, Inc. is 41.5% below the Engineers' Estimate and is considered acceptable. It is recommended by the Public Works and Parks and Recreation Departments that the contract be awarded to them. Resolution awarding contract to W. Gale Fisher, Inc. needed. Estimated Cost: \$16,485 (Contract \$15,485 - Inspection \$1,000). Funds are budgeted.)

ACTION: Res. 80-125 adopted awarding contract to W. Gale Fisher, Inc. (P.W. to handle)

CONSENT

6. Consider award of contract for construction of utility building at Sonoma Park.
(Bids were opened February 5, 1980. The low bid of \$68,600 submitted by William M. Mineni is 13.71% below the Engineers' Estimate and is considered acceptable. It is recommended by the Public Works and Parks and Recreation Departments that the contract be awarded to him. Resolution awarding contract to William M. Mineni needed. Estimated Cost: \$72,500 (Contract \$68,600 - Eng. & Contg. \$3,900) Funds are budgeted.)

ACTION: Res. 80-126 adopted awarding contract to William M. Mineni (P.W. to handle)

CONSENT

7. Consider acceptance of Grover Landscaping's contract for Sonoma Park Landscaping and Irrigation System as complete. (Original contract: \$56,727.00)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final Cost: \$60,859.45. Funds are budgeted.)

ACTION: Res. 80-127 adopted accepting work as complete, (Clerk to handle)

CONSENT

8. Consider waiving formal bid and authorizing the purchase of one Police patrol car from the State of California Department of General Services for the total purchase price of \$7,616.09.
(Memorandum with agenda. Resolution waiving formal bid and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-128 adopted waiving formal bid and authorizing purchase, (Finance to handle)

HEARINGS

9. Hearing on amendment to Section 25-3-8 of the Zoning Map to prezone to P-D(255) to allow a 79-unit small lot patio home subdivision plus two existing residences on larger lots, property located on the west side of Carpenter Road, north of Torrid Avenue (Joaquin Construction). No. 1
ACTION: By motion (Elliott/Kullijian, unan.) Ord. No. 1919-C.S. introduced.
Res. 80-129 adopted (same vote) approving plan,
Res. 80-130 adopted (same vote) certifying review of Environmental Impact Report. (Clerk/Planning to handle)
10. Hearing on the annexation of the Butte-Glenn annexation. No. 2
ACTION: By motion (Elliott/Kullijian, unan.) this item continued one week for staff to certify the names submitted, (Clerk/Planning to handle)
11. Hearing on the annexation of North Airport annexation. No. 3
ACTION: By motion (Elliott/Kullijian, unan.) this item continued one week for staff to certify the names submitted, (Clerk/Planning to handle)
12. Hearing on the annexation of the South Airport annexation. No. 4
ACTION: By motion (Elliott/Kullijian, unan.) this item continued one week for staff to certify the names submitted, (Clerk/Planning to handle)
13. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

14. Consider amendment to Municipal Code relating to mandatory connection to sewage system.
(In December, Council reaffirmed policy for extension of sewer service into unincorporated areas. Included in that review was a staff recommendation that the Code section requiring mandatory connection to the sewage system be modified by extending the time limit for mandatory connection from two to five years. Effective date would be April 1, 1980. Motion introducing an ordinance needed.)
ACTION: By motion, Ord. No. 1920-C,S, introduced, (Clerk to handle)

NEW BUSINESS

CONSENT

15. Consider authorizing the purchase of blueprint services from Modesto Blue Printers for the price of .06 cents per square foot, and consider declaring GAF Blueprint machine located in Office Services surplus to City needs and authorize the Purchasing Officer to advertise and sell to the highest bidder.
(Memorandum with agenda. Resolution authorizing purchase of service needed, and resolution declaring blueprint machine surplus property and authorizing sale needed. Estimated cost: \$3,600; funds are budgeted.)

ACTION: Res. 80-131 adopted authorizing purchase of service.

Res. 80-131 A adopted declaring blueprint machine surplus property and authorizing sale. (Finance to handle)

CONSENT

16. Presentation of Midyear Budget Report including proposed adjustments to the 1979-80 Budget.
(Report with agenda. Resolution amending the 1979-80 Budget needed.)

ACTION: Res. 80-132 adopted amending the 1979-80 Budget. (Finance to handle)

CONSENT

17. Consider approval of the final map of Valencia Plaza Unit 2 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Joaquin Construction Co.)
(The subdivision agreement has been signed and all fees paid. Valencia Plaza Unit No. 2 is located north of Penny Lane between Capistrano Drive and Lincoln Avenue. It contains 8.366 acres. Resolution approving final map needed.)

ACTION: Res. 80-133 adopted approving final map. (Clerk to handle)

CONSENT

18. Consider approval of the final map of Valencia Plaza Unit One subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Joaquin Construction Co.)
(The subdivision agreement has been signed and all fees paid. Valencia Plaza Unit One is located north of Penny Lane between Capistrano Drive and Lincoln Avenue. It contains 13.930 acres. Resolution approving final map needed.)

ACTION: Res. 80-134 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider approving an Airport concession agreement with Valley Freight, a general partnership made up of Gordon Keats, Bill Parks and Cliff Pierce.
(Valley Freight has a freight delivery service. This agreement is for a concession fee of \$25.00 per month and \$75.00 per month for three parking spaces at the Airport. It is for a month-to-month term and is consistent with other Airport concession agreements. Resolution approving agreement needed.)

ACTION: Res. 80-135 adopted approving agreement. (P.W. to handle)

CONSENT

20. Consider approving lease agreement with Russell Taylor and Jean Taylor for lease of Acme Cleaners (former McCumber property) located on the old Lincoln School site. (Lease begins February 1, 1980 and is for one year. The Taylors had been leasing the building from the McCumbers when acquired by the City. They had been paying \$125 per month. New lease is for \$200 per month, plus lessee pays taxes and utilities and is responsible for maintenance. Jean Taylor is a City employee. Resolution approving lease agreement needed.)

ACTION: Res, 80-136 adopted approving lease agreement, (P.W. to handle)

CONSENT

21. Requirement for construction of curbs and/or sidewalks at the following locations: (78/04/12 - 78/07/12)
(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting hearing on March 11, 1980 at 7:30 p.m. (Hearing No. 1) needed.)

- a. Sidewalk along Sunrise Avenue at 804 Sunrise Avenue, Lot 30 of Block 631. (Lloyd S. Allred)
- b. Curb along Sunrise Avenue at 820 Muir Road, Lot 11 of Block 639. (Lonni Ashlock)
- c. Curb and sidewalk along Sunrise Avenue at 701 Auburn Street, Lot 5 of Block 610. (Wilma D. Biersch)
- d. Curb and sidewalk along Sunrise Avenue at 605 Auburn Street, Lot 2 of Block 610. (Anton T. Boodrookas)
- e. Curb and sidewalk along Sunrise Avenue at 609 Auburn Street, Lot 3 of Block 610. (Martha B. Burgi)
- f. Curb along Sunrise Avenue at 940 Oxford Way, a portion of Block 639. (Robert M. Campbell)
- g. Sidewalk at 1009 Sunrise Avenue, Lot 2 of Block 640. (Sigmon Carroll)
- h. Curb along Sunrise Avenue at 606 Muir Road, Lot 7 of Block 611. (Eugene J. Casaretto)
- i. Curb and sidewalk along Sunrise Avenue at 703 Burke Avenue, a portion of Block 634. (Reid C. Cochran)
- j. Curb and sidewalk along Sunrise Avenue at 820 Sunrise Avenue, Lot 1 of Block 631. (French and French)
- k. Curb along Sunrise Avenue at 830 Muir Road, Lot 8 of Block 639. (Joseph Fried)

- l. Curb along Sunrise Avenue at 700 Muir Road, Lot 4 of Block 611.
(Helen V. Garrick)
- m. Curb along Sunrise Avenue at 814 Muir Road, Lot 12 of Block 639.
(Raymond C. Hance)
- n. Curb along Sunrise Avenue at 910 Muir Road, a portion of Block 639.
(Vera L. Hossi)
- o. Curb along Sunrise Avenue at 900 Muir Road, a portion of Block 639.
(Samuel Hyman)
- p. Sidewalk along Sunrise Avenue at 706 E. Fairmont Avenue, Lot 1 of
Block 635. (Floyd W. Jones)
- q. Curb along Sunrise Avenue at 806 Muir Road, Lot 14 of Block 639.
(John R. Kelly)
- r. Sidewalk along Sunrise Avenue at 701 Annabelle Avenue, Lot 29 of
Block 635. (Alex Klabanos)
- s. Curb and sidewalk along Sunrise Avenue at 705 Auburn Street, Lot
6 of Block 610. (David W. Laukkanen)
- t. Curb along Sunrise Avenue at 826 Muir Road, Lot 9 of Block 639.
(Francis J. Massetti)
- u. Curb along Sunrise Avenue at 602 Muir Road, Lot 9 of Block 611.
(Monaco, Williams and Williams)
- v. Curb along Sunrise Avenue at 624 Helen Avenue, Lot 1 of Block 611.
(Nachman M. Morgenstern)
- w. Sidewalk along Sunrise Avenue at 704 Annabelle Avenue, a portion of
Block 634. (Suzy W. Mounce)
- x. Curb along Sunrise Avenue at 914 Muir Road, a portion of Block 639.
(Brian W. Murray)
- y. Curb and sidewalk along Sunrise Avenue at 613 Auburn Street, Lot
4 of Block 610. (Julian A. Ortiz)
- z. Curb along Sunrise Avenue at 834 Muir Road, Lot 7 of Block 639.
(Matt M. Parker)
- aa. Curb along Sunrise Avenue at 604 Muir Road, Lot 8 of Block 611.
(John R. Parsons)
- bb. Curb along Sunrise Avenue at 822 Muir Road, Lot 10 of Block 639.
(Gerald E. Pehrson)

- dd. Curb along Sunrise Avenue at 704 Muir Road, Lot 3 of Block 611.
(Lowell R. Sise)
- ee. Curb along Sunrise Avenue at 810 Muir Road, Lot 13 of Block 639.
(Ora N. Spoonemore)
- ff. Curb and sidewalk at 1015 Sunrise Avenue, Lot 1 of Block 640.
(Samuel S. Stewart)
- gg. Curb along Sunrise Avenue at 708 Muir Road, Lot 2 of Block 611.
(Hubert W. Thurman)
- hh. Sidewalk along Sunrise Avenue at 941 Oxford Way, Lot 3, of Block
640. (James A. Welter)

ACTION: Res. 80-137 adopted instructing the Superintendent of Streets to give notices.
(Clerk to handle)

CONSENT

- 22. Recommend to Council an amendment to Section 7-3-9 of the Zoning Map, Sessions Development.
(On January 7, 1980, the Planning Commission adopted Resolution 80-12 recommending to the Council an amendment to Section 7-3-9 of the Zoning Map to prezone to Medium High Density Residential Zone, R-3, and Planned Development Zone, P-D(257) to allow a 137 unit one and two-story townhouse condominium property located on the south side of Standiford Avenue west of Carver Road. Resolution setting public hearing on March 4, 1980 at 4:00 p.m. (Hearing No. 1) needed.)

ACTION: Res. 80-138 adopted setting hearing, (Clerk to handle)

CONSENT

- 23. Consider LAFCO Questionnaire for Scenic Bend Number 2 Governmental Reorganization. (Property owners have requested annexation of approximately 2.9 acres located at the easterly end of Scenic Bend on the southwest corner of Scenic Drive and Scenic Bend. Memo, map and questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 80-139 adopted approving LAFCO Questionnaire, (Clerk to handle)

MISCELLANEOUS

- 24. Appointments
None
- 25. Legislation
None
- 26. Matters too late for the agenda
None

Adjourned at 9:20 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, February 19, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. John Blakeley, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 14, 16, 17, 18, 19,
22, 23, 24, 25, 26, 27, 30
Removed from consent: 20, 21

ACTION: (Lang/Muratore, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

PRESENTATION

1. Presentation of \$500 by Gilbert W. Younger, President of the Modesto Independent Insurance Agents' Association, to purchase a table to be placed in a City Park.
ACTION: A check for \$500 was presented to the Council by Gilbert Younger.

MINUTES

CONSENT

2. Approval of the City Council Minutes of February 12, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

3. Letter from City of Tiburon regarding Agins vs. City of Tiburon concerning the affect of land use regulations on private property.
(Motion approving recommendation needed.)

ACTION: By motion, recommendation approved. (Attorney to handle)

CONSENT

4. Letter from the McHenry Museum Society and the McHenry Museum Guild concerning a \$20,000 contribution toward construction of an elevator at the McHenry Museum during the 1980-81 fiscal year.
(The amount of \$72,000 is included in the proposed 1980-81 Capital Improvement Program for this project. Motion referring to proper budget session needed.)

ACTION: By motion, letter referred to proper budget session. (Finance to handle)

BIDS

CONSENT

5. Call for bids on 11th Street garage,
(The engineering/architectural work is finished. The garage will have 340 parking spaces on four levels. Resolution approving plans and specifications and calling for bids at 2:00 p.m. on March 18, 1980 needed. Estimated Cost: \$1,480,000. Funds are budgeted.)

ACTION: Res. 80-140 adopted calling for bids.

(P.T. to handle)

CONSENT

6. Consider acceptance of Mac's Backhoe Services contract for the construction of waterline extensions in Pine Tree Lane and Mugho Pine Drive (Original Contract: \$40,689.50).
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: Contract: \$42,833.10 (Main: \$38,993.10; Services: \$3,840.00) Funds are budgeted.)

ACTION: Res. 80-141 adopted accepting work as complete.

(Clerk to handle)

CONSENT

7. Consider authorizing the purchase of one stencil painting truck, two 31,000 gvw dump trucks and one 46,000 gvw dump truck from Best Chevrolet for the total purchase price including trade-ins of \$98,041.51.
(Memorandum with agenda. Resolution authorizing purchase of trucks needed. Funds are budgeted.)

ACTION: Res. 80-142 adopted authorizing purchase of trucks.

(Finance to handle)

HEARINGS

8. Hearing on amendment to Section 19-3-10 of the Zoning Map to prezone to P-D(256) to allow a zero lot line patio house development on the east side of Claus Road, south of E. Orangeburg (Modesto Development). No. 1

ACTION: By motion (Elliott/Kullijian, unan.) Ord. No. 1921-C.S. introduced.
Res. 80-143 adopted (same vote) approving plan.
Res. 80-144 adopted (same vote) certifying review of Environmental Assessment report. (Clerk/Planning to handle)

9. Continued hearing on the annexation of the Butte-Glenn annexation. No. 2
(This hearing was continued from the February 12, 1980, City Council meeting.)

ACTION: By motion (Elliott/Muratore, unan.) the hearing was closed.

10. Continued hearing on the annexation of North Airport annexation. No. 3
(This hearing was continued from the February 12, 1980, City Council meeting.)

ACTION: By motion (Muratore/Siefkin, majority, Elliott-no) the hearing was continued one week. (Clerk to handle)

11. Continued hearing on the annexation of the South Airport annexation. No. 4
(This hearing was continued from the February 12, 1980, City Council meeting.)

ACTION: By motion (Siefkin/Lang, majority, Elliott-no) the hearing was continued one week. (Clerk to handle)

12. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

13. Consider ordinance covering off-street parking for the handicapped.
(Memo with agenda. The proposed ordinance would, with property owner approval, allow enforcement against improper use of off-street handicapped parking spaces. Motion introducing ordinance needed.)

ACTION: By motion (Elliott/Lang, unan.) Ord. No. 1922-C.S. introduced. (Clerk to handle)

CONSENT

14. Final adoption of:

- a. Ord. No. 1915-C.S. amending P-D(148), Blue Gum and Carpenter (Fisher Land Corp.)
- b. Ord. No. 1916-C.S. rezoning from R-1 to P-D(254) property located on Rumble Road and Prescott (Irwin Steinpress).
- c. Ord. No. 1917-C.S. and Ord. No. 1918-C.S. amending the Modesto Municipal Code sections relating to sales and use taxes.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

NEW BUSINESS

15. Consider staff report and recommendations on the Transportation System Management Element (TSME) prepared for SAAG by JHK & Associates.
(Memo with agenda. The TSME is part of the Transportation Plan and covers items such as transit, bicycles, parking, etc. Motion directing the City Council representatives to the SAAG Policy Board needed.)

ACTION: By motion (Elliott/Bright, unan.) this matter referred to Council Transportation Committee for review and recommendation. (P.T. to handle)

CONSENT

16. Consider adopting a resolution stating that the City of Modesto will join with San Joaquin, Stanislaus, Merced, Mariposa, Tuolumne, Amador, Alpine, and Calaveras counties and the cities therein to form an entitlement district in accordance with the Justice Systems Improvement Act of 1979.
(Memo with agenda. Resolution stating City of Modesto will join in the formation of an entitlement district needed.)

ACTION: Res. 80-145 adopted stating City of Modesto will join in the formation of an entitlement district. (Police to handle)

CONSENT

17. Consider approval of the final map of Wyldewood Estates No. 6 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Edward G. Wylie and Virginia Lee Wylie.
(The subdivision agreement has been signed and all fees paid. Wyldewood Estates No. 6 is located south of East Orangeburg Avenue and west of Oakdale Road. It contains 2.247 acres. Resolution approving final map needed.)

ACTION: Res. 80-146 adopted approving final map.

(Clerk to handle)

CONSENT

18. Consider Woodland-Mercy No. 2 Governmental Reorganization to the City of Modesto. (On January 30, 1980, LAFCO approved the Woodland-Mercy No. 2 Annexation to the City of Modesto subject to the condition that it be processed as a governmental reorganization which would include annexation to the City, detachment from the Woodland Avenue Fire District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. Resolution ordering the Woodland-Mercy No. 2 Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 80-147 adopted ordering annexation and certifying review of environmental impact. (Clerk to handle)

CONSENT

19. Consider Claus-Dry Creek Governmental Reorganization to the City of Modesto. (On January 30, 1980, LAFCO approved the Claus-Dry Creek Annexation to the City of Modesto subject to the condition that it be processed as a governmental reorganization which would include annexation to the City, detachment from the Empire Fire Protection District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. Resolution ordering the Claus-Dry Creek Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 80-148 adopted ordering annexation and certifying review of environmental impact. (Clerk to handle)

20. Recommend to Council the vacation and abandonment of N Street between 11th and 12th Streets, the 20-foot alley in Block H, and a portion of the 20-foot alley in Block 88 - First Baptist Church. (On February 4, 1980, the Planning Commission adopted Resolution 80-36 recommending to the Council the vacation and abandonment of N Street between 11th and 12th Streets, the 20-foot alley in Block H, and a portion of the 20-foot alley in Block 88. Resolution setting public hearing on March 25, 1980, at 7:30 p.m. (Hearing No. 2) needed.)

Councilmembers Kullijian and Muratore excused due to a conflict of interest.

ACTION: Res. 80-149 adopted (Siefkin/Bright, unan., Kullijian and Muratore absent) setting public hearing. (Clerk to handle)

21. Recommend to Council an amendment to Section 29-3-9 - First Baptist Church. (On February 4, 1980, the Planning Commission adopted Resolution 80-35 recommending to the Council an amendment to Section 29-3-9 of the Zoning Map to rezone from C-1 and C-2 to P-D(258) and not approving a portion of the proposed rezoning, property located south of Needham between 10th and 13th Streets. Resolution setting public hearing on March 25, 1980, at 7:30 p.m. (Hearing No. 1) needed.)

Councilmembers Kullijian and Muratore excused due to a conflict of interest.

ACTION: Res. 80-150 adopted (Siefkin/Bright, unan., Kullijian and Muratore absent) setting public hearing. (Clerk to handle)

CONSENT

22. Recommend to Council an amendment to Section 21-3-9 of the Zoning Map - Paul Zagaris. (On February 4, 1980, the Planning Commission adopted Res. 80-37 recommending to the City Council an amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to P-0, property located on the south side of E. Orangeburg Avenue between Allen Drive and M.I.D. Lateral No. 4. Resolution setting public hearing on March 18, 1980, at 4:00 p.m. (Hearing No. 1) needed.)

ACTION: Res. 80-151 adopted setting hearing.

(Clerk to handle)

CONSENT

23. Recommend to Council an amendment to Section 23-3-9 of the Zoning Map - Jim Corn. (On February 4, 1980, the Planning Commission adopted Resolution 80-38 recommending to the Council an amendment to Section 23-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-D(260) property located on the north side of Scenic Drive east of Oakdale Road to allow a 48-unit condominium. Resolution setting public hearing on March 25, 1980, at 7:30 p.m. (Hearing No. 3) needed.)

ACTION: Res. 80-152 adopted setting hearing.

(Clerk to handle)

CONSENT

24. Recommend to Council an amendment to P-D(197) - San Clemente Plaza Group. (On February 4, 1980, the Planning Commission adopted Resolution 80-39 recommending to the Council an amendment to P-D(197) to allow a residential condominium, property located on the northeast corner of Standiford Avenue and San Clemente Avenue. Resolution setting public hearing on March 25, 1980, at 7:30 p.m. (Hearing No. 4) needed.)

ACTION: Res. 80-153 adopted setting hearing.

(Clerk to handle)

CONSENT

25. Recommend to Council an amendment to P-D(188) - Oakhurst Development Group. (On February 4, 1980, the Planning Commission adopted Resolution 80-40 recommending to the City Council an amendment to P-D(188) to allow condominium development on the northwest corner of Dale and Snyder. Resolution setting public hearing on March 18, 1980, at 4:00 p.m. (Hearing No. 2) needed.)

ACTION: Res. 80-154 adopted setting hearing.

(Clerk to handle)

CONSENT

26. Recommend to Council an amendment to Section 13-3-8 of the Zoning Map - Rex Properties. (On February 4, 1980, the Planning Commission adopted Resolution 80-42 recommending to the Council an amendment to Section 13-3-8 of the Zoning Map to rezone from R-2 to P-D(259) property located at the southwest corner of Rumble and Lou Ann. Resolution setting public hearing on March 25, 1980, at 7:30 p.m. (Hearing No. 5) needed.)

ACTION: Res. 80-155 adopted setting hearing.

(Clerk to handle)

CONSENT

27. Consider participation and filing of an amicus curiae brief in the case of Perez v. City of San Bruno which relates to the collection of payments for municipally supplied services.
(Motion authorizing participation and filing of amicus curiae brief needed.)

ACTION: By motion, participation approved. (Attorney to handle)

REPORTS

28. Report by Culture Commission on the Review of the Community Center Plan.

ACTION: By motion (Elliott/Kullijian, unan.) report referred to the Downtown Renaissance Committee. (Manager to handle)

29. Report on Animal Control Committee's recommendation to participate in the County program and retire the City voucher program.
(Memo with agenda.)

ACTION: By motion (Bright/Elliott, unan.) desire indicated to join the County's program. (Manager to handle)

CONSENT

30. Presentation of Financial Statement for January, 1980.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

31. Legislation

None

32. Appointments

None

33. Matters too late for the agenda - None

Adjourned at 6:15 p.m.
/ to February 22, 1980, 8:00 a.m, Sundial Restaurant, 806 McHenry Avenue, Modesto,
for a meeting with Congressman Tony Coelho.

ATTEST: 
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Regular Council Meeting
February 22, 1980

The Modesto City Council met pursuant to adjournment at 8:00 a.m. at the Sundial Restaurant, 806 McHenry Avenue, Modesto, California, to meet with Congressman Tony Coelho.

Present: Councilmembers Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: Councilmember Kullijian

Various pieces of federal legislation that would affect Modesto were discussed with Congressman Coelho.

The meeting adjourned at 9:30 a.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 26, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore,
Siefkin, Mayor Mensinger

Absent: Councilmember Kullijian

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 17, 18, 20,
DROPPED FROM AGENDA: 25 21, 22, 23, 24, 26, 27, 27A, 29

ACTION: (Siefkin/Muratore, unan., Kullijian absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the February 19, 1980, City Council meeting.
(Motion approving minutes needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Bennie Luna, Chrysler Baseball Club President, requesting assistance for the 1980 season.

ACTION: By motion (Elliott/Siefkin, unan., Kullijian absent) this matter was referred to staff. (Finance to handle)

By unanimous consent, Item 27B was taken up after item 2.

CONSENT

3. Letter from The Modesto Symphony Orchestra requesting \$5,500 for the 1980-81 fiscal year.
(Motion referring to proper budget session needed.)

ACTION: By motion, referred to proper budget session. (Finance to handle)

BIDS

CONSENT

4. Consider award of contract for the sand blasting and coating of steel portions of Clarifier No. 1 at the City of Modesto Water Quality Control Plant.
(Bids were opened on February 19, 1980. The low bid of \$19,900, submitted by Peek Bros., Inc. is 1% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Peek Bros., Inc. needed. Funds are budgeted.)

ACTION: Res. 80-156 adopted awarding contract.

(P.W. to handle)

CONSENT

5. Consider award of contract for the construction of the storm flow bypass and the reconstruction of existing manholes on outfall sewer lines.
(Bids were opened on February 19, 1980. The low bid of \$57,780, submitted by Conco-West, Inc. is 1% above the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Conco-West, Inc. needed. Funds are budgeted.)

ACTION: Res. 80-157 adopted awarding contract.

(P.W. to handle)

CONSENT

6. Consider award of contract for the clearing and grubbing of Police parking lot at 610 - 10th Street.
(Bids were opened on February 19, 1980. The low bid of \$12,800, submitted by Modesto Sand and Gravel is 20% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Modesto Sand and Gravel needed. Funds are budgeted.)

ACTION: Res. 80-158 adopted awarding contract.

(P.W. to handle)

CONSENT

7. Consider award of contract for the reconditioning and overlay with slurry seal or plant mix surfacing of approximately 3 miles of downtown streets.
(Bids were opened February 12, 1980 at 11:00 a.m. and the low bid of Flintkote Company which is 16.7% over the engineer's estimate is considered acceptable. These projects are specialized and very difficult to predict with rapidly rising costs. Funds are available and it is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated Cost: Contract: \$129,470,50, Funds are budgeted.)

ACTION: Res. 80-159 adopted awarding contract.

(P.W. to handle)

CONSENT

8. Consider award of contract to repaint various street lighting poles and post tops.
(Bids were opened February 12, 1980 at 11:05 a.m. and the low bid of Don L. Davis which is 40% below the engineer's estimate is considered acceptable. Therefore it is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated Cost: \$23,570, Funds are budgeted.)

ACTION: Res. 80-160 adopted awarding contract.

(P.W. to handle)

CONSENT

9. Consider acceptance of Western Applicators contract for the repair of the urethane foam installation of the primary digester at the City of Modesto Water Quality Control Plant. Original Contract and final cost: \$29,870. (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion, Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-161 adopted accepting work as complete. (Clerk to handle)

HEARINGS

10. Hearing on amendment to P-D(229) to allow medical office condominium on the west side of Coffee Road north of Lucern Avenue. (Rule Enterprises) No. 1

ACTION: By motion (Elliott/Lang, unan., Kullijian absent) Ord. No. 1923-C,S, introduced, Res. 80-162 adopted (same vote) approving amendment. (Clerk to handle)

11. Hearing on requirement for construction of curbs and/or sidewalks at the following locations: No. 2

- a. Sidewalk at 125 Griswold Avenue, Lot 3 of Block 727. (DeKleva, Chenault and Campbell)
- b. Sidewalk along Griswold Avenue at 814 Magnolia Avenue, a portion of Block 708. (Thomas J. Drew)
- c. Sidewalk along Griswold Avenue at 319 Griswold Avenue, Lots 18-21 of Block 725. (Dan E. Fleming)
- d. Sidewalk along Griswold Avenue at 815 Magnolia Avenue, a portion of Block 709. (Kenneth L. Hill Jr.)
- e. Sidewalk along Griswold Avenue at 520 Griswold Avenue, a portion of Block 714. (Irene Hirschl)
- f. Sidewalk along Griswold Avenue at 814 Geer avenue, Lot 8 of Block 706. (Arthur I. Jennison)
- g. Sidewalk at 126 Griswold Avenue, Lot 7 of Block 706. (Ian C. Kirkpatrick)
- h. Sidewalk along Griswold Avenue at 900 Magnolia Avenue, a portion of Block 726. (Francis H. Ondras)
- i. Sidewalk along Griswold Avenue at 829 Brady Avenue, a portion of Block 714. (Frank Paradis)
- j. Sidewalk along Griswold Avenue at 206 Griswold Avenue, Lot 15 of Block 706. (Joseph A. Saletta)

- k. Sidewalk at 1510 Cherrywood Drive, Lot 5 of Block 6018.
(Ralph D. Hutchinson)
- l. Curb and sidewalk at 112 Kerr Avenue, a portion of Block 2122.
(Kentwood Enterprises)
- m. Curb and sidewalk along Evergreen Avenue at 1533 Grape Avenue,
Lot 1 of Block 6107. (Marshall V. Perry)
- n. Sidewalk along Corson Avenue at 155 Corson Avenue, Lot 19 Block 652.
(Fred R. Spohn)

ACTION: Res. 80-163 adopted (Elliott/Lang, unan., Kullijian absent) sidewalks required on north side of Griswold from Sycamore to McHenry, items a, c, and h.

By motion (Lang/Muratore, unan., Kullijian absent) sidewalks will not be required on items b, d, e, f, g, i and j.

By motion (Lang/Muratore, unan., Kullijian absent) item l exempted for one year due to pending construction,

Res. 80-164 adopted (Elliott/Lang, unan., Kullijian absent) construction required on items k, m, and n. (P.W. to handle)

- 12. Hearing on proposal to create alley pedestrian overpass to No. 3
garage on 11th Street between I and J Streets.

ACTION: By motion (Muratore/Bright, unan., Kullijian absent) concept approved and matter referred to staff to prepare the necessary documents.
(Atty. to handle)

- 13. Hearing on amendment to P-D(168), property located on the No. 4
north corner of Scenic Drive west of Rose Avenue to permit
condominiums. (Rosegate Investment Group)

ACTION: By motion (Lang/Elliott, unan., Kullijian absent) Ord. No. 1924-C.S. introduced.
Res. 80-165 adopted (same vote) approving amendment. (Clerk to handle)

- 14. Continued hearing on the annexation of North Airport annexation. No. 5
(This hearing was continued from the February 19, 1980, City
Council meeting.)

ACTION: By motion (Muratore/Siefkin, unan., Kullijian absent) staff to prepare
the necessary documents. (Atty. to handle)

- 15. Continued hearing on the annexation of the South Airport No. 6
annexation.
(This hearing was continued from the February 19, 1980, City
Council meeting.)

ACTION: By motion (Lang/Bright, unan., Kullijian absent) hearing continued to March 4,
1980, 4:00 p.m. (Clerk to handle) 2/26/80

16. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

Jan Norcott, League of Women Voters, spoke about bus promotion and route maps.

ORDINANCES

CONSENT

17. Final adoption of:

- a. Ord. No. 1919-C.S. rezoning to P-P-D(255) property on Carpenter Road and Torrid Avenue to allow a 79-unit small lot patio home subdivision.
(Joaquin Construction)
- b. Ord. No. 1920-C.S. amending the Modesto Municipal Code sections relating to connection to the sewage system.

ACTION: By motion, ordinances adopted.

(Clerk to handle)

NEW BUSINESS

CONSENT

18. Resolution to establish new account for monies received under the Roberti-Z'berg Urban Open Space and Recreation Program for La Loma Neighborhood Park.
(The provisions of the grant program require separate accounting of the funds received. Proposed resolution with agenda. Resolution establishing account needed.)

ACTION: Res. 80-166 adopted establishing account.

(Finance to handle)

19. Consider adjustment of sewer service charges.
(The City is required to annually review sewer service charges as part of the acceptance of Federal and State Clean Water Grant funds. Such review has been completed and increases for domestic, commercial, and industrial service charges in the range of approximately 11-12% are being recommended. Memo with agenda. Resolution adopting revised sewer service charges needed.)

ACTION: Res. 80-167 adopted (Bright/Lang, unan., Kullijian absent) revising sewer service charges.

(Finance to handle)

CONSENT

20. Agreements with Self-Help Training Program, Inc. and Head Rest, Inc. for on-the-job training.
(Memo with agenda. Resolution approving agreements needed.)

ACTION: Res. 80-168 adopted approving agreements.

(Mgmt. Services to handle)

CONSENT

21. Resolution to apply for California Urban Forestry Grant Program.
(The California Urban Forestry Grant Program is a new granting program of the California Department of Forestry written to aid in the preservation of urban forests. The City of Modesto is eligible for a 90% grant of \$30,000 to study and update our Street Tree Program. The City's 10% match to the program will be supplied by in-kind salaries from support staff. Resolution approving grant application needed.)

ACTION: Res. 80-169 adopted approving grant application.

(P.R. to handle)

CONSENT

22. Consider renewal of airport and general liability insurance. (Memorandum with agenda. Resolution approving renewal of airport liability insurance and resolution approving renewal of general liability insurance needed. Estimated cost: Airport liability \$7,740; General liability \$83,475; funds are budgeted.)

ACTION: Res. 80-170 adopted approving renewal of airport liability insurance.

Res. 80-171 adopted approving renewal of general liability insurance.

(Mgmt. Services to handle)

CONSENT

23. Consider approval of the final map of the resubdivision of Goldcoast Estates subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: James Horn Construction Co.

(The subdivision agreement has been signed and all fees paid. The resubdivision of Goldcoast Estates is located east of Claus Road and north of East Orangeburg Avenue. It contains 18.339 acres. Resolution approving final map needed.)

ACTION: Res. 80-172 adopted approving final map.

(Clerk to handle)

CONSENT

24. Consider approval of the final map of Hacienda Villas subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Richard H. & Inez E. Peterson, Bradley S. & Michele G. Peterson and P & W Development, Inc.

(The subdivision agreement has been signed and all fees paid. Hacienda Villas is located between California Avenue and Houser Lane, west of Panama Drive. It contains 17.457 acres. Resolution approving final map needed.)

ACTION: Res. 80-173 adopted approving final map.

(Clerk to handle)

CONSENT

25. Consider approval of the final map of Winsor Tract No. 2 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Alfred J. & Loretta E. Rice and Alice June Hiles.

(The subdivision agreement has been signed and all fees paid. Winsor Tract No. 2 is located west of Shawnee Drive, north of Cheyenne Way. It contains 1.481 acres. Resolution approving final map needed.)

DROPPED FROM AGENDA.

CONSENT

26. Consider authorizing the City Manager to sign the State of California Department of Transportation Utilities agreement No. 10Ut1625.

(The State Department of Transportation is planning to reconstruct Route 132 between 9th Street and the Dry Creek Bridge. This agreement provides sanitary manhole covers and 23 water valve covers to be adjusted to final grade at State expense. An additional 5 water valves are to be adjusted at City expense. Resolution approving agreement needed. Estimated cost: \$750; funds are budgeted.)

ACTION: Res. 80-174 adopted approving agreement.

(P.W. to handle)

CONSENT

27. Consider authorizing the City Manager to sign a contract with Modesto Communications for providing maintenance service on the general government communications system for the following monthly rates: base stations - \$20 ea.; dc remotes - \$5 ea.; mobile radios - \$3 ea.; portable radios - \$5 ea.; pagers - \$2 ea.; station identifier - \$2 ea.
(Memorandum with agenda. Resolution approving maintenance service contract with Modesto Communications needed. Estimated cost: \$4,740; funds are budgeted.)

ACTION: Res. 80-175 adopted approving maintenance service contract. (Finance to handle)

CONSENT

- 27A. Consider adoption of resolution requesting LAFCO to waive the one-year waiting period and reconsider the Blue Gum-Rosemore island annexation.
(On August 15, 1979, LAFCO denied the Blue Gum-Rosemore annexation because of alleged sewer odor problems. Since that time the City has made improvements at the Emerald Avenue lift station and has submitted additional information to LAFCO in regard to odor concerns. Memo with agenda. Resolution requesting that LAFCO waive one-year waiting period and reconsider the Blue Gum-Rosemore annexation needed.)

ACTION: Res. 80-176 adopted requesting LAFCO to waive on-year waiting period.
(Clerk to handle)

- 27B. Consider approval of the bus service advertising plan.
(Memo with agenda. The firm of Boyle/Kilpatrick & Associates has developed a bus service advertising plan to run through June 30, 1980. Motion approving the plan needed. Estimated cost: \$18,000; funds are budgeted.)
Councilmember Muratore excused due to a conflict of interest,

ACTION: By motion (Siefkin/Lang, unan., Kullijian and Muratore absent), plan approved.
(P.T. to handle)

REPORTS

28. Further consideration of request by Mid-Valley Engineering, Inc., to use improvement district proceedings for construction of off-site improvements in the West Campus Business Park at Blue Gum and Carpenter.

ACTION: By motion (Elliott/Muratore, unan., Kullijian absent) this item continued to March 11, 1980,
(Clerk to handle)

APPROPRIATION TRANSFER

CONSENT

29. Consider a transfer of \$13,000 from unreserved retained earnings in Fund 350 for the purchase of a spare diesel engine and a spare transmission for bus maintenance purposes.

(In order to help reduce bus down time, a spare diesel engine and a spare transmission are needed. The spare engine is needed for the 1976 GMC Coaches and the transmission is needed for the 1979 Gillig Coaches, Staff will solicit proposals and return this matter to the City Council at a later date. Memo with agenda. Resolution approving transfer needed.)

ACTION: Res. 80-177 adopted approving transfer.

(Finance to handle)

MISCELLANEOUS

30. Legislation

None

31. Appointments

None

32. Matters too late for the agenda

a. Agreement with Floyd and Betty Jean Zaiger for acquisition of easement for West Trunk Sewer.

Res. 80-178 adopted (Muratore/Siefkin, unan., Kullijian absent) approving agreement.
(P.W. to handle)

Adjourned at 9:15 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 4, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Muratore,
Siefkin, Mayor Mensinger

Absent: Lang

Pledge of allegiance to the Flag

Invocation: Rev. James Bradley, Salvation Army

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 10, 11,
15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 28

ACTION: (Bright/Siefkin, unan., Lang absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the adjourned regular City Council meeting of February 22, 1980, and the regular meeting of February 26, 1980.
(Motion approving minutes needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Request by First Baptist Church for a crosswalk on 11th Street between M and N Streets.
(Motion referring to staff for recommendation needed.)

ACTION: Councilmembers Kullijian and Muratore excused due to a conflict of interest.
By motion (Siefkin/Bright, unan., Councilmembers Kullijian, Lang, and Muratore absent).

BIDS

CONSENT

3. Approve plans and specifications and call for bids for reroofing of Building No. 1 in the City Service Yard.
(Bid opening: March 18, 1980, 11:05 a.m. The project will provide for a new 20 year roof for Building No. 1 in the City Service Yard. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$15,000 (Contract \$13,000, Eng. & Contg. \$2,000) Funds are budgeted.)

ACTION: Res. 80-179 adopted calling for bids. (P.W. to handle)

CONSENT

4. Approve specifications and call for bids for the installation of sump pumps at City Hall.
(The project provides for the replacement of one storm drainage pump and two sewage pumps at City Hall. Resolution approving specifications and calling for bids needed. Estimated cost: \$8,700 (Contract \$8,200, Eng. & Contg. \$500) Funds are budgeted.)

ACTION: Res. 80-180 adopted calling for bids. (P.W. to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the drilling, casing, testing, and development of one deep well for the City of Modesto - Well No. 44.
(Suggested bid opening: March 18, 1980, at 11:10 a.m. The plans and specifications have been reviewed by the Fire Department and the Junior College District and the location and method for development of the well have been approved by both. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$18,480 (Contract \$17,600, Eng. \$880) Funds are budgeted.)

ACTION: Res. 80-181 adopted calling for bids. (P.W. to handle)

CONSENT

6. Consider approval of plans and specifications for the construction of waterline extension in Yosemite Boulevard.
(Suggested bid opening: March 18, 1980 at 11:15 a.m. This extension is needed because the State is improving the intersection at Riverside and Yosemite Blvd. We intend to extend the main before paving of the intersection is completed. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$6,100.75 (Contract \$3,305, Eng. \$795.75) Funds are budgeted.)

ACTION: Res. 80-182 adopted calling for bids. (P.W. to handle)

CONSENT

7. Consider rejection of bids for the addition to and modification of Fire Prevention Bureau at Eleventh and "F" Street.
(Bids were opened February 12, 1980. Four bids were received and all were over the engineer's estimate and none of which can be considered acceptable. It is therefore recommended by the Public Works Department and the Fire Department that the bids be rejected. Resolution rejecting bids needed.)

ACTION: Res. 80-183 adopted rejecting bids. (Clerk to handle)

CONSENT

8. Consider declaring Stanislaus Implement and Hardware Company low bidder and authorize the purchase of one industrial tractor for the total purchase price of \$11,395.
(Memorandum with agenda. Resolution authorizing purchase of industrial tractor needed. Funds are budgeted.)

ACTION: Res. 80-184 adopted authorizing purchase. (Finance to handle)

CONSENT

9. Consider declaring The Yard Lumber and Fence Supply Company low bidder meeting City specifications and authorize the purchase of materials and services necessary to construct a redwood fence at the Downey Park Annex for the total price of \$4,346.
(Memo with agenda. Resolution authorizing the purchase of materials and services necessary to construct a redwood fence at the Downey Park Annex needed. Funds are budgeted.)

ACTION: Res. 80-185 adopted authorizing purchase. (Finance to handle)

CONSENT

10. Consider waiving formal bid procedures by five affirmative votes and authorizing the purchase of one Detroit diesel engine from Williams and Lane for the total purchase price of \$8,248.27, and one Allison transmission from G & W Ford for the total purchase price of \$3,720.57.
(Memorandum with agenda. Resolution authorizing purchase of engine, and resolution authorizing purchase of transmission needed. Funds are budgeted.)

ACTION: Res. 80-186 adopted waiving formal bid and authorizing purchase from Williams and Lane.

CONSENT Res. 80-187 adopted authorizing purchase from G & W Ford. (Finance to handle)

11. Consider rescinding call for bids for air conditioning system modifications in the City Council Chambers, and call for new bids to be opened March 25, 1980, at 11:05 a.m., and directing the City Clerk to return sealed bids received February 26, 1980.
(Memo with agenda. Resolution rescinding the call for bids, calling for new bids and directing City Clerk to return sealed bids needed. Estimated cost: \$26,400 (Contract \$24,650; Engr. & Cont. \$1,750); funds are budgeted.)

ACTION: Res. 80-188 adopted rescinding call for bids and calling for new bids.
(P.W./ Clerk to handle)

HEARINGS

12. Hearing on amendment to Section 7-3-9 of the Zoning Map to prezone to Medium High Density Residential Zone, R-3, and Planned Development Zone, P-D(257) to allow a 137 unit one and two-story townhouse condominium property located on the south side of Standiford Avenue west of Carver Road. (Sessions Development) No. 1

ACTION: By motion (Elliott/Siefkin, unan., Lang absent) Ord. 1925-C.S. introduced (R-3).
Res. 80-189 adopted (same vote) certifying review of Environmental Assessment on rezoning to R-3.
By motion (same vote) Ord. 1926-C.S. introduced - P-D(257).
Res. 80-190 adopted (same vote) approving Planned Development P-D(257) (Clerk/Plan

13. Continued hearing on annexation of the South Airport annexation.
(This hearing was continued from the February 26, 1980, City Council meeting.)

No. 2

ACTION: By motion (Muratore/Elliott, unan., Lang absent) hearing closed.
Res. 80-191 adopted (Siefkin/Muratore, unan., Lang absent) annexing South Airport annexation.

14. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

15. Final adoption of:

- a. Ord. No. 1921-C.S. rezoning to P-P-D(256) to allow zero lot line patio house development on Claus Road and E. Orangeburg. (Modesto Development)
- b. Ord. No. 1922-C.S. relating to parking on private property.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

16. Adoption of resolution calling a special election for the Butte-Glenn Annexation, and resolution requesting the Board of Supervisors to consolidate the special election with the June 3, 1980, primary election.
(The election will be held on June 3, 1980. Adoption of two resolutions needed.)

ACTION: Res. 80-192 adopted calling for special election.

Res. 80-193 adopted requesting election be consolidated with June 3, 1980 primary election.
(Clerk to handle)

CONSENT

17. Adoption of resolution calling a special election for the North Airport Annexation, and resolution requesting the Board of Supervisors to consolidate the special election with the June 3, 1980, primary election.
(The election will be held on June 3, 1980. Adoption of two resolutions needed.)

ACTION: Res. 80-194 adopted calling for special election.

Res. 80-195 adopted requesting election be consolidated with June 3, 1980 primary election.
(Clerk to handle)

18. Consider City Transportation Committee's recommendations on the Transportation System Management Element (TSME) prepared for SAAG by JHK & Associates. (Memo with agenda. The TSME is part of the Transportation Plan and covers items such as transit, bicycles, parking, etc. Motion advising the City Council representatives to the SAAG Policy Board needed.)

ACTION: By motion (Muratore/Siefkin, unan., Lanb absent) Council Transportation Committee's recommendations approved. (P.T. to handle)

NEW BUSINESS

19. Consider request from Mr. Alan Koff to allow an existing fence to remain in place encroaching in the alley right of way at 121 E. Morris Avenue. The fence encroaches 3 feet into the alley right of way.

(Memo with agenda.)

Councilmember Siefkin excused due to a conflict of interest.

ACTION: By motion (Bright/Kullijian, unan., Lang, Siefkin absent) the matter was referred to staff to explore the possibility of abandoning the alley. (P.W. to handle)

CONSENT

20. Consider declaring property listed on the City surplus and Police stolen or unclaimed property listings as surplus to City needs and authorize the property to be sold at a public auction to be held March 22, 1980, at the City's Corporation Yard.

(Normally, only one auction is held each year to dispose of surplus property; however, the Police Department has requested a second auction to dispose of property presently stored in the old Police station which is scheduled to be removed to make way for a new parking lot. Resolution declaring property surplus and authorizing public auction needed.)

ACTION: Res. 80-196 adopted declaring property surplus. (Finance to handle)

CONSENT

21. Bicycle trail right of way agreement with M.I.D. (M.I.D. has prepared an agreement granting an easement for a City bicycle path along M.I.D. Lateral 2 between Conejo and Fortuna. A bike trail will be constructed here with signed bike route on Encina, since Encina does not go through this area. Resolution approving agreement with M.I.D. needed. No cost for easement. Cost of trail to be constructed \$7,300; funds are budgeted.)

ACTION: Res. 80-197 adopted approving agreement. (P.W. to handle)

CONSENT

22. Establishing flat rate water service charges to Central Catholic High School. (Water service charges to schools are established on a flat rate basis by resolution. Since rates were last established, Central Catholic High School has increased the amount of irrigated acreage served by City of Modesto water. No funds are involved. Copy of proposed resolution with agenda. Resolution establishing rates needed.)

ACTION: Res. 80-198 adopted establishing rates. (Finance to handle)

CONSENT

23. Amendment to Alphabetical Listing of Classifications and Classification Plan:

1. Delete classification of Plan Review Engineer II.
2. Amend class specification for Associate Civil Engineer.
3. Technical changes.

(Memo with agenda. Resolution amending classification plan and resolution amending resolution establishing salaries needed.)

ACTION: Res. 80-199 adopted amending classification plan.

Res. 80-200 adopted establishing salaries. (Mgmt. Services to handle)

CONSENT

24. Consider supplemental agreement to master agreement with State of California for expenditure of Federal Aid Funds.

(Supplement 11 sets aside \$586,875 in Federal Aid Funds, and \$32,039 in State Funds for reconstruction of Standiford Avenue from Tully to McHenry. The project includes reconstruction of existing surface, widening of the street, and improved railroad crossing safety. City matching funds are \$62,786. The tentative schedule calls for bids in June, 1980 with construction completion by November, 1980. Estimated cost: \$681,700; Funds to be requested later in order to obtain a better estimate on final cost. Resolution authorizing City Manager to sign agreement needed.)

ACTION: Res. 80-201 adopted authorizing City Manager to sign agreement. (P.W. to handle)

CONSENT

25. Consider cooperative agreement with Stanislaus County for Conceptual Engineering Studies and Environmental Studies of the proposed extension of Brighton Avenue between Yosemite Boulevard and Scenic Drive. The project would include a bridge across Dry Creek.

(The various disciplines needed for this type of environmental and engineering study are such that it will be necessary to look beyond the local area for a consulting engineer to be selected jointly by the City and County.

The study would include various alternative concepts. The statement of work is Exhibit A to the proposed agreement. Resolution approving agreement needed. Estimated cost: \$35,000; funds are budgeted.)

ACTION: Res. 80-202 adopted approving agreement. (P.W. to handle)

CONSENT

26. Consider Council Gift Shop's request for sponsoring their Second Annual Family Kite Day in Downey Park on March 23, 1980.

(Memo with agenda. Resolution approving request subject to conditions noted in staff report needed.)

ACTION: Res. 80-203 adopted approving request. (P.R. to handle)

REPORTS

27. Report on Modesto Youth Commission's Park Vandalism Awareness Program. (Members of the Modesto Youth Commission wish to conduct a park vandalism awareness program, distributing information flyers to residents adjacent to 23 Modesto parks. Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Elliott/Muratore, unan., Lang absent) receipt of report acknowledged and appreciation expressed to Youth Commission.

CONSENT

28. Notice of P.G. & E,'s request to raise natural gas charges. (Memo with agenda. Request is to the P.U.C. and is for \$443.1 million per year, a 14% increase. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

29. Legislation

None

30. Appointments

ACTION: Res. 80-204 adopted appointing Yev Philpovitch to the Board of Building Appeals, term to expire 1/1/81.

Res. 80-205 adopted appointing Donald Smalley to the Board of Zoning Adjustment, term to expire 1/1/84.

Res. 80-206 adopted appointing Delores Parker and John Mack Hernandez to the Human Rights Commission, terms to expire 5/1/83 and 5/1/84 respectively.

Res. 80-207 adopted appointing Jerry T. Matsunaga, Leslie H. May, and Frank M. Wilson, Jr. to the Personnel Commission, terms to expire 1/1/82, 1/1/83 and 1/1/84 respectively.

Res. 80-208 adopted appointing Thomas A. Norquist to the Planning Commission, term to expire 1/1/84.

31. Matters too late for the agenda.

None

Adjourned at 5:30 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 11 , 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. H. Kennedy, Evangelist

Assemblyman John Thurman asked that the City Council, County Superintendent of Schools John Allard, each appoint a member of the public to sit as observers during negotiations between the Modesto City School Board and the Modesto Teachers Association if parties on both sides of the negotiations agreed to have the observers. Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Siefkin/Kullijian, majority, Muratore-no, Lang absent) the public was allowed to speak on this issue.

By motion (Muratore/Siefkin, unan., Lang absent) Council indicated its intention to join with Assemblyman Thurman and County Superintendent of Schools John Allard, in a proposal that each of these three appoint a person from the community to sit in on negotiations between the Modesto City School Board and Modesto Teachers' Association as observers, subject to reasonable rules as agreed to by the M.C.S. and M.T.A. and accepted by the three observers.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 11, 15, 16, 17, 19, 20, 21, 22, 23, 24, 24A, 25

Dropped from agenda: 11 c & d, 18

ACTION: (Siefkin/Elliott, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

By unanimous consent, the Council considered item 12 immediately after the consent items

MINUTES

CONSENT

1. Approval of minutes of the March 4, 1980, City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

3/11/80

COMMUNICATIONS

CONSENT

2. Appeal by Elmo Wilson to a decision by the Board of Zoning Adjustment regarding a variance from parking requirements for property at 936-10th Street.
(Resolution setting hearing April 8, 1980, 7:30 p.m. (Hearing No. 1) needed.)

ACTION: Res. 80-209 adopted setting hearing. (Clerk to handle)

CONSENT

3. Letter from Industry - Education Council of Stanislaus County inviting the City of Modesto to become a member,
(Motion referring to the proper budget session needed.)

ACTION: By motion, letter referred to proper budget session. (Finance to handle)

CONSENT

4. Appeal by Ira Matheny to a Planning Commission decision concerning rezoning of a 1-acre parcel at 2612 West Rumble Road.
(Resolution setting hearing April 1, 1980, 4:00 p.m. (Hearing No. 1) needed.)

ACTION: Res. 80-210 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

5. Consider acceptance of American District Telegraph Company's contract to install McHenry Museum fire alarm system as complete. (Original contract: \$6,518)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$6,383.37; funds are budgeted.)

ACTION: Res. 80-211 adopted accepting work as complete. (Clerk to handle)

CONSENT

6. Consider acceptance of the contract of Joe Martin Pipeline, Inc. for replacement of waterlines in Blocks 9013 and 9019. (Original contract: \$28,377.50)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$27,995 contract (\$21,570 main; \$6,425 services); funds are budgeted.)

ACTION: Res. 80-212 adopted accepting work as complete. (Clerk to handle)

CONSENT

7. Consider rescinding the award of two 31,000 gvw dump trucks and one 46,000 gvw dump truck from Best Chevrolet for the total price of \$77,813.17 (Resolution No. 80-142) and authorize the purchase of the same vehicles equipped with wet-sleeved engines from Dow Hammond for the total purchase price including trade-ins of \$87,385.16.
(Resolution rescinding order to Best Chevrolet and authorizing purchase of vehicles from Dow Hammond. Funds are budgeted. Memo with agenda.)

ACTION: Res. 80-213 adopted rescinding order to Best Chevrolet and authorizing purchase from Dow Hammond. (Finance to handle)

8. Consider authorizing the purchase of remodeling services for Fire Station #2 from A.W. Adams Construction Company for the negotiated price of \$4,000. (Memorandum with agenda. Resolution authorizing purchase of remodeling services needed. Funds are budgeted.)

ACTION: Res. 80-214 adopted authorizing purchase of remodeling services. (Finance)

9. Hearing on requirement for construction of curbs and/or sidewalks the at the following locations:

- a. Sidewalk along Sunrise Avenue at 804 Sunrise Avenue, Lot 30 of Block 631. (Lloyd S. Allred)
- b. Curb along Sunrise Avenue at 820 Muir Road, Lot 11 of Block 639. (Lonni Ashlock)
- c. Curb and sidewalk along Sunrise Avenue at 701 Auburn Street, Lot 5 of Block 610. (Wilma D. Biersch)
- d. Curb and sidewalk along Sunrise Avenue at 605 Auburn Street, Lot 2 of Block 610. (Anton T. Boodrookas)
- e. Curb and sidewalk along Sunrise Avenue at 609 Auburn Street, Lot 3 of Block 610. (Martha B. Burgi)
- f. Curb along Sunrise Avenue at 940 Oxford Way, a portion of Block 639. (Robert M. Campbell)
- g. Sidewalk at 1009 Sunrise Avenue, Lot 2 of Block 640. (Carroll Sigmon)
- h. Curb along Sunrise Avenue at 606 Muir Road, Lot 7 of Block 611. (Eugene J. Casaretto)
- i. Curb and sidewalk along Sunrise Avenue at 703 Burke Avenue, a portion of Block 634. (Reid C. Cochran)
- j. Curb and sidewalk along Sunrise Avenue at 820 Sunrise Avenue, Lot 1 of Block 631. (French and French)
- k. Curb along Sunrise Avenue at 830 Muir Road, Lot 8 of Block 639. (Joseph Fried)
- l. Curb along Sunrise Avenue at 700 Muir Road, Lot 4 of Block 611. (Helen V. Garrick)
- m. Curb along Sunrise Avenue at 814 Muir Road, Lot 12 of Block 639. (Raymond C. Hance)
- n. Curb along Sunrise Avenue at 910 Muir Road, a portion of Block 639. (Vera L. Hossli)
- o. Curb along Sunrise Avenue at 900 Muir Road, a portion of Block 639. (Samuel Hyman)
- p. Sidewalk along Sunrise Avenue at 706 E. Fairmont Avenue, Lot 1 of Block 635. (Floyd W. Jones)
- q. Curb along Sunrise Avenue at 806 Muir Road, Lot 14 of Block 639. (John R. Kelly)
- r. Sidewalk along Sunrise Avenue at 701 Annabelle Avenue, Lot 29 of Block 635. (Alex Klabanos)

- s. Curb and sidewalk along Sunrise Avenue at 705 Auburn Street, Lot 6 of Block 610. (David W. Laukkanen)
- t. Curb along Sunrise Avenue at 826 Muir Road, Lot 9 of Block 639. (Francis J. Massetti)
- u. Curb along Sunrise Avenue at 602 Muir Road, Lot 9 of Block 611. (Monaco, Williams and Williams)
- v. Curb along Sunrise Avenue at 624 Helen Avenue, Lot 1 of Block 611. (Nachman M. Morgenstern)
- w. Sidewalk along Sunrise Avenue at 704 Annabelle Avenue, a portion of Block 634. (Suzy W. Mounce)
- x. Curb along Sunrise Avenue at 914 Muir Road, a portion of Block 639. (Brian W. Murray)
- y. Curb and sidewalk along Sunrise Avenue at 613 Auburn Street, Lot 4 of Block 610. (Julian A. Ortiz)
- z. Curb along Sunrise Avenue at 834 Muir Road, Lot 7 of Block 639. (Matt M. Parker)
- aa. Curb along Sunrise Avenue at 604 Muir Road, Lot 8 of Block 611. (John R. Parsons)
- bb. Curb along Sunrise Avenue at 822 Muir Road, Lot 10 of Block 639. (Gerald E. Pehrson)
- cc. Sidewalk along Sunrise Avenue at 601 Auburn Street, Lot 1 of Block 610. (Clifford S. Sharar)
- dd. Curb along Sunrise Avenue at 704 Muir Road, Lot 3 of Block 611. (Lowell R. Sise)
- ee. Curb along Sunrise Avenue at 810 Muir Road, Lot 13 of Block 639. (Ora N. Spoonemore)
- ff. Curb and sidewalk at 1015 Sunrise Avenue, Lot 1 of Block 640. (Samuel S. Stewart)
- gg. Curb along Sunrise Avenue at 708 Muir Road, Lot 2 of Block 611. (Hubert W. Thurman)
- hh. Sidewalk along Sunrise Avenue at 941 Oxford Way, Lot 3, of Block 640. (James A. Welter)

ACTION: Elwyn Johnson was excused due to a conflict of interest.
 By motion (Elliott/Siefkin, unan.) Council reaffirmed policy of requiring curbs and gutters on the west side of Sunrise and curbs, gutters and sidewalks on the east side of Sunrise Avenue.
 Res. 80-215 adopted (Elliott/Siefkin, unan.) sidewalks, curbs and gutters required in accordance with policy reaffirmed. (P.W. to handle)
 A motion to delete item "d" died for lack of a second.

10. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

- ACTION: a. Phillip Katen said he had received a bill for \$1,000 for two trees damaged by his son. He felt the charge was too high. By motion (Lang/Bright, unan.) the matter was referred to staff to investigate and report back. (P.R. to handle)
- b. Mayor Mensinger introduced Loraine Conaughty representing the Farm-City Advisory Committee.

ORDINANCES

CONSENT

11. Final adoption of:
- a. Ord. No. 1923-C.S. amending P-D(229) to allow a medical office condominium on Coffee Road north of Lucern (Rule Enterprises).
- b. Ord. No. 1924-C.S. amending P-D(168) to permit condominiums on Scenic Drive west of Rose Avenue (Rosegate Investment Group).
- c. Ord. No. 1925-C.S. amending Section Map 7-3-9 rezoning property for a townhouse condominium development on the south side of Standiford (Sessions Development Co.).
- d. Ord. No. 1926-C.S. amending Section Map 7-3-9 to prezone to P-D(257) (Sessions Development Co.).

ACTION: Items c and d dropped from agenda,
By motion, ordinances 1923-C.S. and 1924-C.S. adopted,

UNFINISHED BUSINESS

12. Further consideration of request by Mid-Valley Engineering, Inc. to use improvement district proceedings for construction of off-site improvements in the West Campus Business Park at Blue Gum and Carpenter.

ACTION: By motion (Elliott/Lang, unan.) this item continued to April 15, 1980,
as requested by Mid-Valley Engineering, Inc. (Clerk to handle)

13. Further consideration of Urban Growth Policy Matters.
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Elliott/Kullijian, unan.) staff directed to include a review of the question of a possible land inventory in the next annual land use or growth study. (Planning to handle)

NEW BUSINESS

14. Discussion of problems in and around Sherwood Neighborhood Park.
(Memo with agenda. Motion directing staff needed.)

ACTION: Councilmember Bright excused due to a conflict of interest,
By motion (Muratore/Lang, majority, Elliott-no, Bright absent) staff recommendations approved, with the addition of neighborhood recommendations of a neighborhood watch system and a review in three months. (P.R. to handle)

CONSENT

15. Consider proposal that Director of Public Works be authorized to include Trask Lane from Yosemite to Glendale in a mandatory sidewalk program. Curbs and sidewalks would be installed in conjunction with the proposed reconstruction of the Trask Lane pavement.
(Memo with agenda. Res. ordering installation of curbs and sidewalks needed.)

ACTION: Res. 80-216 adopted ordering installation. (P.W. to handle)

CONSENT

16. Consider agreement with Janet M. Hinkle for the acquisition of 640⁺ square feet of right of way needed for the Sunrise-Lucern to Norwegian sidewalk project. (Mrs. Hinkle has agreed to sell the required right of way for the appraised value of \$1,625. Mrs. Hinkle is the wife of Public Works employee Al Hinkle. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-217 adopted approving agreement. (P.W. to handle)

CONSENT

17. Consider agreement with Edwin H. DeHart and Edythe Nadine DeHart for the acquisition of 930.3⁺ square feet of their property for right of way needed for the Sunrise-Lucern to Norwegian sidewalk project.
(The DeHarts have agreed to sell the required right of way for the appraised value of \$2,200. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-218 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider resolution approving insurance coverage for Modesto Transit System. (Memorandum with agenda. Resolution approving needed. Estimated cost: \$41,694; funds are budgeted.)

DROPPED FROM AGENDA.

CONSENT

19. Recommend to Council an amendment to P-D(86) - Robert Weeks Realty. (On March 3, 1980, the Planning Commission adopted Resolution 80-58 recommending to the Council an amendment to P-D(86) to allow a 48-unit condominium conversion, property located on the north side of Norwegian west of Coffee Road. Resolution setting public hearing on April 8, 1980, at 7:30 p.m. (Hearing No. 2) needed.)

ACTION: Res. 80-219 adopted setting hearing. (Clerk to handle)

CONSENT

20. Proposed amendment to the Land Use and Circulation Elements of the Modesto Urban Area General Plan and E.I.R. - College West Area. (Memo with agenda. Resolution setting public hearing on April 8, 1980, at 7:30 p.m. (Hearing No. 3) needed.)

ACTION: Res. 80-220 adopted setting hearing. (Clerk to handle)

CONSENT

21. Recommend to Council an amendment to P-D(104) - Bank of America.
(On March 3, 1980, the Planning Commission adopted Res. 80-57 recommending to the Council an amendment to P-D(104) to allow additional commercial building in the Oakmore Plaza Shopping Center, located at the southwest corner of Lancey Drive and Oakdale Road. Resolution setting public hearing on April 1, 1980, at 4:00 p.m. (Hearing No. 2) needed.)

ACTION: Res. 80-221 adopted setting hearing.

(Clerk to handle)

CONSENT

22. Consider staff recommendation that United Airlines be allowed to terminate service at Modesto on March 15, 1980.
(Golden Gate Airlines (formerly Air Pacific) is now in a position to provide replacement airline service for Modesto. The Civil Aeronautics Board staff believes that Golden Gate Airlines has the financial resources, equipment, and management capability to provide replacement airline service at Modesto. The Chamber of Commerce Aviation Committee, along with the City staff, agrees with the CAB evaluation of Golden Gate Airlines and is recommending that the City Council go on record endorsing the termination of United Airlines service at Modesto on March 15, 1980. Memo with agenda. Resolution endorsing termination of United Airlines service at Modesto on March 15 needed.)

ACTION: Res. 80-222 adopted endorsing termination.

(P.W. to handle)

CONSENT

23. Amendment to 1979-80 budget to provide money for the Junior Golf Program.
(Proceeds are in trust with the City to sponsor and promote a George Maroney Junior Golf Tournament and instructional program for youth. This is the seventh program for youth. A transfer of \$275 to be paid the golf professional to organize and conduct the golf tournament and clinics, and \$200 for awards (a total of \$475) is needed from City Trust Fund to the General Fund, Donations Account, and then appropriated in the Recreation Division budget of the Parks and Recreation Department. Resolution amending budget needed.)

ACTION: Res. 80-223 adopted amending budget.

(P.R. & Finance to handle)

CONSENT

24. Request of the Toy and Hobby Company for refund of mill tax overpayment.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 80-224 adopted approving refund.

(Finance to handle)

CONSENT

- 24A. Consider approving agreement with Jack Pless and Claudine Pless for acquisition of a 0.0385 acre permanent sewer easement and a 0.0536 acre temporary easement.
(The City is in the process of acquiring easements across six properties as a part of the West Trunk Sewer Project. The Pless' have agreed to settle for the appraised value of \$1,850. This is the second property to be acquired of the six needed. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-225 adopted approving agreement.

(P.W. to handle)

CONSENT

25. Presentation of Financial Statement for February, 1980.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

26. Legislation

- By motion (Kullijian/Lang, unan.) AB 2101 & AB 1355 supported.
- By motion (Siefkin/Elliott, unan.) AB 2049 opposed.
- By motion (Muratore/Lang, unan.) AB 2033 supported.
- By motion (Elliott/Muratore, unan.) AB 2131 opposed.
- By motion (Elliott/Siefkin, unan.) AB 2059 supported.
- By motion (Siefkin/Lang, unan.) SB 1389 supported.
- By motion (Kullijian/Lang, unan.) SB 660 opposed.
- By motion (Kullijian Lang, unan.) SB 2077 opposed. (Mgmt. Serv. to handle)

27. Appointments

None

28. Matters too late for the agenda

- a. Council wished the City Manager well on his trip to England.
- b. Mayor announced that there would not be a quorum next Tuesday, March 18, so the next meeting would be held on Thursday, March 20, at 7:30 p.m.
- c. City Manager said there would probably be a joint City Council - M.I.D. Board meeting on April 1, after the Council's 4:00 p.m. meeting.

Adjourned at 11:30 p.m.

ATTEST:



NORRINE COYLE, City Clerk

Regular Council Meeting
March 18, 1980

The regular meeting of the Council of the City of Modesto, was brought to order at 4:00 p.m. on Tuesday, March 18, 1980.

Present: None

Absent: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Due to the lack of quorum, the meeting was adjourned to March 20, 1980, 7:30 p.m., in the Council Chambers of City Hall.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

CITY OF MODESTO

**AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 18, 1980, AT 4:00 P.M. -
ADJOURNED TO THURSDAY, MARCH 20, 1980 AT 7:30 P.M.**

**Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang,
Siefkin, Mayor Mensinger**

Absent: Councilmember Muratore

Pledge of allegiance to the Flag

Invocation: Rev. Ross Briles, Sherwood Bible Church

**CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
13, 14, 17, 18, 20, 21, 22, 23, 24, 25, 26,
Removed from consent: 7A, 19 27, 28, 29, 30, 31, 32, 35**

ACTION: (Lang/Siefkin, unan., Muratore absent)

(Information concerning the consent items listed above has been forwarded to each Councilmember prior to this meeting for study. Unless some member of the audience or Councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

- 1. Approval of minutes of the March 11, 1980 City Council meeting.
(Motion approving needed,)**

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

- 2. Appeal by Dwight & Carol Wimberly to a Board of Zoning Adjustment decision regarding a variance in connection with a patio cover.
(Resolution setting hearing April 15, 1980, at 4:00 p.m. (Hearing No. 1) needed.)**

ACTION: Res. 80-226 adopted setting hearing. (Clerk to handle)

CONSENT

- 3. Appeal by Central Valley Chrysler-Plymouth, Inc., regarding a decision by the Board of Zoning Adjustment about a sign at 605 N. Franklin.
(Resolution setting hearing April 15, 1980, at 4:00 p.m. (Hearing No. 2) needed.)**

ACTION: Res. 80-227 adopted setting hearing. (Clerk to handle)

3/20/80

CONSENT

4. Appeal by Edward T. Taylor, Jr. to a decision of the Board of Appeals concerning electrical repairs on the building at 1016 - 12th Street.
(Resolution setting hearing April 1, 1980, at 4:00 p.m. (Hearing No. 3) needed.)

ACTION: Res. 80-228 adopted setting hearing, (Clerk to handle)

CONSENT

5. Request by Modesto Chamber of Commerce for \$15,000 during the 1980-81 fiscal year.
(Motion referring to proper budget session needed.)

ACTION: By motion, referred to proper budget session, (Finance)

CONSENT

6. Request by Modesto Chamber of Commerce for continued support of tourism development.
(Motion referring to proper budget session needed.)

ACTION: By motion, referred to proper budget session, (Finance to handle)

CONSENT

7. Request by the Modesto Association of the Performing Arts (formerly Modesto Youth Theatre) for \$6,000 in the 1980-81 fiscal year.
(Motion referring to the proper budget session needed.)

ACTION: By motion, referred to proper budget session, (Finance to handle)

- 7A. Request by Fourth of July Committee requesting funds for and assistance with the 1980 Fourth of July Activities.
(Motion referring to proper budget session needed.)

ACTION: By motion (Elliott/Kullijian, unan., Muratore absent) the request was referred to the staff to meet with the Committee to clarify what events are being planned.
(P.R. to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for improvement of Capistrano Drive at park site.
(This project will construct the park portion of Capistrano Drive at the same time as the adjacent development constructs the remainder of the street. Suggested bid opening date: April 8, 1980 at 11:15 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$14,000 (Contract \$12,602.50; Engr. \$1,397.50); funds are budgeted.)

ACTION: Res. 80-229 adopted calling for bids. (P.W. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for street light modernization - J Street from 12th Street to McHenry Avenue.
(Suggested bid opening date: April 8, 1980 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$26,672 (Contract \$23,672; Engr. & Contg. \$3,000); funds are budgeted.)

ACTION: Res. 80-230 adopted approving plans and calling for bids. (P.W. to handle)

CONSENT

10. Consider approval of specifications and call for bids for Project No. 10 - replacement of curbs, drive aprons and sidewalks at various locations.
(This project is required to repair, for proper drainage, curbs damaged by City street trees. Suggested bid opening: April 8, 1980 at 11:05 a.m. Resolution approving specifications and calling for bids needed. Estimated cost: \$22,000 (Contract \$20,835; Engr. \$1,165); funds are budgeted.)

ACTION: Res. 80-231 adopted approving specifications and calling for bids. (P.W. to handle)

CONSENT

11. Consider acceptance of the contract of Bepco, Inc. for repair of the Emerald trunk line at Robertson Road as complete. (Original contract \$97,700)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$98,888.85; funds are budgeted.)

ACTION: Res. 80-232 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider the following:
- (1) Approving specifications and authorize call for bids to be opened April 8, 1980 at 2:00 p.m. for furnishing miscellaneous brush holders and slip rings for General Electric pump motors.
 - (2) Waiving formal bid procedures and authorizing the purchase of two Fairbanks Morse pumps from J-M Squared Equipment for the total purchase price of \$33,514.04.
 - (3) Waiving formal bid procedures and authorizing the purchase of one Johnston pump from Stanislaus Pump for the total purchase price of \$44,511.50.
- (Memorandum with agenda. Resolution authorizing call for bids needed; resolution authorizing purchase of pumps from J-M Squared Equipment needed; and resolution authorizing purchase of pump from Stanislaus Pump needed. Estimated cost: \$78,025.52 - actual; \$8,000 - to bid; funds are budgeted.)

ACTION: Res. 80-233 adopted authorizing call for bids,
Res. 80-234 adopted authorizing purchase from J-M Squared Equipment,
Res. 80-235 adopted authorizing purchase from Stanislaus Pump. (Finance to handle)

CONSENT

13. Consider declaring J. S. Equipment Company low bidder and authorize the purchase of one aerial platform for the total purchase price of \$28,873.76. (Memorandum with agenda. Resolution authorizing purchase needed. Estimated cost: \$28,873.76; funds are budgeted.)

ACTION: Res. 80-236 adopted authorizing purchase, (Finance to handle)

CONSENT

14. Consider acceptance of the contract of George Reed, Inc. for construction of East La Loma Park as complete. (Original contract: \$288,071) (All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments, Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$309,271.47; funds are budgeted.)

ACTION: Res. 80-237 adopted accepting work as complete. (Clerk to handle)

HEARINGS

15. Hearing on amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to P-0, property located on the south side of E. Orangeburg Avenue between Allen Drive and M.I.D. Lateral No. 4 (Paul Zagaris). No. 1

ACTION: By motion (Kullijian/Elliott, unan., Muratore absent) Ord. 1927-C.S. introduced rezoning. Res. 80-238 adopted (same vote) certifying review of Environmental Assessment Report. (Clerk/Planning to handle)

16. Hearing on amendment to P-D(188) to allow condominium development on the northwest corner of Dale and Snyder Avenues (Oakhurst Development Group). No. 2

ACTION: By motion (Elliott/Lang, unan., Muratore absent) Ord. 1928-C.S. introduced amending P-D(188). Res. 80-239 adopted (same vote) approving development plan. (Clerk/Planning to handle)

16A. Matters for the good of the community. (These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

17. Final adoption of ordinances 1925-C.S. and 1926-C.S. rezoning to R-3 and P-D(257) property on Standiford Avenue west of Carver Road (Sessions Development).
(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

NEW BUSINESS

CONSENT

18. Consider acceptance of improvements in Sylvan Meadows No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Stone Bros. and Associates)
(Sylvan Meadows No. 2 subdivision is located north of Sylvan Avenue west of Coffee Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Copy of letter agreement with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-240 adopted accepting improvements as complete.

(Clerk to handle)

19. Consider rate adjustments for water service fees.
(Projected costs and revenues for the Water Fund indicate that we face a deficit in that fund by the end of fiscal year 1980-81. Adjustments in flat-rate services of 25% and the metered rates of 10% are being proposed. It is also proposed to amend the Municipal Code to provide that the rates will be adopted by resolution. Memo with agenda. Ordinance amending Municipal Code needed, and resolution adopting revised water service fees needed.)

ACTION: By motion (Lang/Elliott, unan., Muratore absent) Ord. No. 1929-C.S. introduced revising water service fees.

Res. 80-241 adopted (same vote) revising water service rates. (Finance to handle)

CONSENT

20. Consider approving lease agreement with Sonja Penquite and Debbie A. Jones for lease of former Doidge pasture located in future Dry Creek Park area.
(Lease is a renewal of existing agreement. Lessees have been paying \$185 per month. Lease is for 18 months and expires September 15, 1981. Lease is for \$200 per month with lessees paying taxes and utilities. Lessees are using the pasture and barn to keep horses. Resolution approving lease agreement needed.)

ACTION: Res. 80-242 adopted approving lease agreement.

(P.W. to handle)

CONSENT

21. Consider amendment to Tidewater Southern Railroad agreement for railroad crossing at Needham Street.
(Memo with agenda. The original agreement covers the reconstruction of the railroad crossing incident to Phase I of the Kansas-Needham widening project. The P.U.C. has required revision in the design of railroad crossing warning devices. The amendment provides for the increased cost of the new design. Resolution approving agreement needed. Estimated cost: \$53,600; funds are budgeted.)

Res. 80-243 adopted approving agreement.

(P,W, to handle).

CONSENT

22. Consider authorizing City Manager to sign agreement for necessary gas service relocation for the construction of the West Trunk Sewer.
(Pacific Gas and Electric is requiring this agreement to remove and restore gas facilities per City of Modesto's request at 44 locations in connection with the construction of the west trunk sewer. Resolution approving agreement with P.G. & E. needed. Estimated cost: \$3,344; funds are budgeted.)

ACTION: Res. 80-244 adopted approving agreement.

(P,W, to handle).

CONSENT

23. Consider authorizing City Manager to sign an easement agreement with the Modesto Irrigation District.
(This easement agreement is needed for the West Trunk Sewer Crossing of Lateral No. 4 west of Rosemore Avenue approximately 1,320 feet. Resolution approving easement agreement with M.I.D. needed. Estimated cost: \$10; funds are budgeted.)

ACTION: Res. 80-245 adopted approving easement agreement.

(P,W, to handle)

CONSENT

24. Consider approving agreement with Barbera Sue Wilson for the acquisition of 600[±] square feet of her property needed for right of way for the Sunrise - Lucern to Norwegian sidewalk project.
(Miss Wilson has agreed to sell the required right of way for the appraised value of \$1,310. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-246 adopted approving agreement.

(P,W, to handle)

CONSENT

25. Consider filing an amendment application to UMTA Grant to cover increased cost of buses.
(Memo with agenda. Actual cost is \$112,368.56 higher than estimated on the purchase of five new buses, five fareboxes, ten bus shelters, and the radio communications systems. Resolution authorizing the filing of the grant amendment with the Urban Mass Transportation Administration and approving amended grant contract. Total estimated cost: \$750,919; funds are budgeted.)

ACTION: Res. 80-247 adopted approving amended grant contract.

(P,T, to handle)

CONSENT

26. Consider LAFCO Questionnaire regarding the Brighton No. 1 Governmental Reorganization. (Memo, maps and questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 80-248 adopted approving LAFCO Questionnaire.

(Clerk to handle)

CONSENT

27. Requirement for construction of curbs and/or sidewalks at the following locations:

- a. Curb, sidewalk and street patch at 1932 Evergreen Avenue, a portion of Block 6272. (Hardin; Hayes and Toler)
- b. Sidewalk at 1412 Tully Road, Lot 12 of Block 6074. (Ann L. Lopez)
- c. Sidewalk at 1416 Tully Road, Lot 13 of Block 6074. (Bernie A. Rissky)

(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting hearing April 8, 1980 at 7:30 p.m. (Hearing No. 4) needed.)

ACTION: Res. 80-249 adopted setting hearing.

(Clerk to handle)

CONSENT

28. Informal Public Hearing - Urban Trails Plan Amendment.

(On March 3, 1980, the Planning Commission adopted Resolution No. 80-59 recommending to the City Council an amendment to the Urban Trails Plan, rerouting the bike lane eastbound on Orangeburg Avenue between Alma and McHenry Avenue via Magnolia Avenue, Roseburg Avenue, and Collier Avenue. Resolution setting informal public hearing on April 8, 1980 at 7:30 p.m. (Hearing No. 5) needed. Estimated cost: \$480; funds are budgeted.)

ACTION: Res. 80-250 adopted setting hearing.

(Clerk to handle)

CONSENT

29. Increase collection fee paid to utility pay station operators to 9¢ per bill. (Memo with agenda. Seven resolutions approving amended pay station agreements needed. Estimated cost: \$500; funds are budgeted.)

- ACTION: Res. 80-251 adopted amending pay station agreement with Save Mart Drugs.
Res. 80-252 adopted amending pay station agreement with Paradise Rexall Drugs.
Res. 80-253 adopted amending pay station agreement with Paul's Rexall Drugs on Santa Cruz Ave.
Res. 80-254 adopted amending pay station agreement with Paul's Rexall Drugs on W. Orangeburg Ave.
Res. 80-255 adopted amending pay station agreement with Scenic Drug,
Res. 80-256 adopted amending pay station agreement with Williams Ace Hardware,
Res. 80-257 adopted amending pay station agreement with Model Pharmacy, (Finance)

CONSENT

30. Consider resolution approving insurance coverage for Modesto Transit System. (Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$41,694; funds are budgeted.)

ACTION: Res. 80-258 adopted approving agreement.

(Mgmt. Services to handle)

CONSENT

31. Consider approving a new three-year agreement with Modesto Baseball Club, Inc. for use of the Del Webb baseball field.
(Agreement is for a three year period and includes an annual fee plus a percentage of the concessions and advertising signs. Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 80-259 adopted approving lease agreement. (P.W. to handle)

CONSENT

32. Consider participation in amicus curiae briefs in eight cases.
(Memorandum with agenda. Motion authorizing participation by the City of Modesto in amicus curiae briefs in the eight cases needed.)

ACTION: By motion, participation approved. (Atty. to handle)

33. Consider approval of City-County Transportation Committee recommendations with respect to the elderly and handicapped Dial-A-Ride service.
(Memo with agenda. The Committee has recommended amending the present Dial-A-Ride agreement authorizing a salary increase for the Dial-A-Ride drivers and dispatchers. The Committee also recommends that a request for proposals be issued for the Dial-A-Ride service. This request would be issued as an addendum to the County's request for proposals for the rural service. A resolution approving the amendment to the agreement and resolution directing staff to prepare and issue the request for proposals needed. Estimated cost: \$16,050; funds are budgeted.)

ACTION: Res. 80-260 adopted (Siefkin/Elliott, unan., Muratore absent) approving amendment to agreement.

Res. 80-261 adopted (same vote) directing staff to prepare and issue request for proposals. (P.T. to handle)

34. Consider resolution supporting rural transit system in Stanislaus County.
(Memo with agenda. Resolution is being adopted by the County and all cities of the County making a joint commitment to support rural transit for two years. Resolution supporting rural transit system needed.)

ACTION: Res. 80-262 adopted (Bright/Siefkin, unan., Muratore absent) supporting rural transit system, (P.T. to handle)

REPORTS

CONSENT

35. Annual CATV System Performance Test
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

36. Consider authorizing mid-block pedestrian crosswalk across 11th Street between M and N Streets.
(Memo with agenda. About 250 people cross 11th Street at this location four times each Sunday and twice each Wednesday. A painted crosswalk is recommended. Resolution authorizing a mid-block crosswalk needed. Estimated cost: \$25; funds are budgeted.) Councilmember Kullijian excused due to a conflict of interest.

ACTION: Res. 80-263 adopted (Bright/Siefkin, majority, Elliott-no, Kullijian and Muratore absent) authorizing mid-block crosswalk. (P.T. to handle)

37. Consider preliminary design for interim bus terminal - 9th at I Street. (Memo with agenda. The architect has developed four alternative strategies to build this facility. Alternate 4, a pre-engineered steel structure, is recommended. Motion directing staff needed. Estimated cost: \$53,000. Funds will be requested when construction bids are received. Present cost estimate very preliminary.)

ACTION: By motion (Kullijian/Elliott, unan., Muratore absent) proposal 4b approved. (P/T to handle)

MISCELLANEOUS

38. Legislation

ACTION: By motion (Kullijian/Bright, unan., Muratore absent) AB 2212 supported.
By motion (Lang/Siefkin, unan., Muratore absent) AB 1310 opposed,
By motion (Lang/Siefkin, unan., Muratore absent) AB 1323 opposed.
By motion (Siefkin/Lang, majority, Bright-no, Muratore absent) AB 2086 supported with amendments.

39. Appointments

ACTION: Res. 80-264 adopted (Siefkin/Kullijian, unan., Muratore absent)
Debbie Shepherd appointed to Youth Commission, term expiring 12/1/80.

40. Matters too late for the agenda

ACTION: Councilmember Siefkin reported on the Congressional Cities Conference in Washington, D.C.

Adjourned to executive session at 8:40 p.m, to discuss acquisition of two pieces of property with the announcement that Council would not return to open session.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 25, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 16, 17, 20, 21, 22, 23, 25, 26

Removed from Consent: 24

- ACTION: (Kullijian/Siefkin, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

COMMUNICATIONS

CONSENT

2. Letter from Sherman Boone resigning from the Farm-City Advisory Committee. (Resolution accepting with regret needed.)

ACTION: Res. 80-265 adopted accepting with regret. (Clerk to handle)

3. Request by Creighton Brower to amend the Municipal Code to permit "jig making shops" in the C-2 zone. (Motion referring to staff for recommendation needed.)

ACTION: By motion (Bright/Siefkin, unan.) request referred to staff for recommendation. (Planning to handle)

BIDS

CONSENT

4. Consider approving specifications and authorizing call for bids to be opened April 15, 1980, at 2:00 p.m., for furnishing one backhoe trailer. (Requested by the Public Works Service Division, the trailer will be permanently dispatched to the Public Works Water Division. The equipment will be used to transport a backhoe presently on hand to and from job locations. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$6,600. Funds are budgeted.)

ACTION: Res. 80-266 adopted approving specifications and authorizing call for bids. (Finance to handle)

CONSENT

5. Consider award of contract for the drilling, casing, testing and development of Well No. 44. (Bids were opened March 18, 1980. The low bid of \$16,470.70, submitted by Osterberg & Stewart is 6% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Osterberg & Stewart needed. Funds are budgeted.)

ACTION: Res. 80-267 adopted awarding contract to Osterberg & Stewart. (P.W. to handle)

CONSENT

6. Consider award of contract for the construction of waterline extension in Yosemite Blvd. (Bids were opened March 18, 1980. The low bid of \$5,224.30, submitted by Joe Martin Pipeline, Inc. is 1.5% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to him. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 80-268 adopted awarding contract to Joe Martin Pipeline, Inc. (P.W. to handle)

CONSENT

7. Consider award of contract for the installation of sump pumps at City Hall. (Bids were opened March 18, 1980. The low bid of \$7,428.36 submitted by Stanislaus Pump Machinery & Construction Corporation is 9.41% below the engineer's estimate and is considered acceptable. It is recommended by the Public Works Department to award the contract to them. Resolution awarding contract to Stanislaus Pump, Machinery & Construction Company needed. Estimated Cost: \$7,928.36 (Contract \$7,428.36; Eng. & Contg. \$500); funds are budgeted.)

ACTION: Res. 80-269 adopted awarding contract to Stanislaus Pump, Machinery & Construction Co. (P.W. to handle)

CONSENT

8. Consider award of contract for reroofing of Building No. 1 at the City Service Yard. (Bids were opened March 18, 1980. The low bid of \$9,700 submitted by Jeffco Roofing is 25.38% below the engineer's estimate and is considered acceptable. It is recommended by the Public Works Department to award the contract to them. Resolution awarding contract to Jeffco Roofing needed. Estimated Cost: \$11,700 (Contract \$9,700; Eng. & Contg. \$2,000); Funds are budgeted.)

ACTION: Res. 80-270 adopted awarding contract to Jeffco Roofing. (P.W. to handle)

CONSENT

9. Consider acceptance of SPM Development Company's contract for exterior restoration of McHenry Mansion as complete. (Original contract: \$94,444) (All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$102,230.12. Funds are budgeted.)

ACTION: Res. 80-271 adopted accepting work as complete.

(Clerk to handle)

HEARINGS

10. Hearing on amendment to Section 29-3-9 of the Zoning Map to rezone from C-1 and C-2 to P-D(258) and not approving a portion of the proposed rezoning, property located south of Needham between 10th and 13th Streets (First Baptist Church). No. 1

ACTION: Councilmembers Kullijian and Muratore excused due to a conflict of interest.
By motion (Elliott/Bright, majority, Mayor Mensinger-no, Kullijian and Muratore absent)
Ord. No. 1930-C.S. introduced.
Res. 80-272 adopted (same vote) approving development plan.
Res. 80-273 adopted (same vote) certifying review of final environmental impact report.
By motion (Siefkin/Bright, unan., Kullijian, Muratore absent) staff to continue working with the Church to resolve the problem caused by closing 12th Street on Sunday. (Clerk/Planning to handle)

11. Hearing on vacation and abandonment of N Street between 11th and 12th Streets, the 20-foot alley in Block H, and a portion of the 20-foot alley in Block 88 (First Baptist Church). No. 2

ACTION: Councilmembers Kullijian and Muratore excused due to a conflict of interest.
By motion (Elliott/Bright, majority, Mayor Mensinger-no, Kullijian and Muratore absent)
Council indicated intention to abandon street and alley subject to completion of conditions. (Planning to handle)
Councilmember Elliott left the meeting at 8:50 p.m.

12. Hearing on amendment to Section 23-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-D(260) property located on the north side of Scenic Drive east of Oakdale Road to allow a 48-unit condominium. (Jim Corn) No. 3

ACTION: By motion (Lang/Kullijian, unan., Elliott absent) Ord. No. 1931-C.S. introduced.
Res. 80-274 adopted approving plan (same vote)
Res. 80-275 adopted (same vote) certifying review of environmental assessment. (Clerk/Planning to handle)

13. Hearing on amendment to P-D(197) to allow a residential condominium, property located on the northeast corner of Standiford Avenue and San Clemente Avenue (San Clemente Plaza Group). No. 4

ACTION: By motion (Kullijian/Siefkin, unan., Elliott absent) Ord. 1932-C.S. introduced.
Res. 80-276 adopted (same vote) amending conditions. (Clerk to handle)

14. Hearing on amendment to Section 13-3-8 of the Zoning Map to rezone from R-2 to P-D(259) property located at the southwest corner of Rumble and Lou Ann. (Rex Properties)

No. 5

ACTION: By motion Ord, No. 1933-C.S. introduced. (Lang/Muratore, unan., Elliott absent)
Res. 80-277 adopted (same vote) approving plan.
Res. 80-278 adopted (same vote) certifying review of environmental assessment.
(Clerk/Planning to handle)

15. Matters for the good of the community.
(These may be presented by interested persons in the audience.)
Mayor Mensinger introduced John deBoer representing the Farm-City Advisory Committee.
By order of the Chair, staff to look into the matter of the alley between Sisk Road and the west side of Highway Village. (P.W. to handle)

NEW BUSINESS

CONSENT

16. Consider approval of the final map of Winsor Tract No. 2 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Alfred J. Rice, Loretta E. Rice and Alice June Hiles.
(The subdivision agreement has been signed and all fees paid. Winsor Tract No. 2 is located west of Shawnee Drive north of Cheyenne Way. It contains 1.481 acres. Resolution approving final map needed.)

ACTION: Res. 80-279 adopted approving final map, (Clerk to handle)

CONSENT

17. Consider request for sewer service to property outside city limits at 1110 Garden Avenue, located on the south side of Garden Avenue between Sutter Avenue and Colorado Avenue. Owner: Fannie B. Rodriguez.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the city limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-280 adopted approving agreement. (P.W. to handle)

18. Consider fees and charges for recreation programs.
(After study, staff recommends charging recreation supervisors' time and indirect costs to all recreation programs, to make them self-supporting. Memo with agenda. Resolution revising fees needed.)

ACTION: Res. 80-281 adopted (Kullijian/Siefkin, unan., Elliott absent) revising fees.
(P.R. to handle)

19. Consider increase in golf cart rates.
(After study, staff recommends increasing the rates for golf cart rental.
Memo with agenda. Resolution revising fees needed.)

ACTION: Res. 80-282 adopted (Lang/Muratore, unan., Elliott absent) (P.R. to handle)

CONSENT

20. Consider approving agreement with Antone C. Nunes for the acquisition of 599.7[±] square feet of his property needed for the sidewalks - Sunrise/Lucern to Norwegian project.
(Mr. Nunes has agreed to sell the required right of way for the appraised value of \$1,225. This is the fourth of twelve parcels required for project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-283 adopted approving agreement. (P.W. to handle)

CONSENT

21. Consider approving agreement with Perry E, and Jean M, Moore for the acquisition of 850 square feet of their property needed for the Sunrise/Lucern to Norwegian sidewalk program.
(The Moores have agreed to sell the required right of way for the appraised value of \$1,750 plus the City taking out a tree not compatible with the installation of sidewalks. Resolution approving agreement needed, Funds are budgeted.)

ACTION: Res. 80-284 adopted approving agreement. (P.W. to handle)

CONSENT

22. Consider agreement with Paul M. and Liberty Zagaris and F. A. Van Konynenburg, Jr. and Carolyn Van Konynenburg.
(Memo with agenda. Agreement is to pay \$1,566.61 to Zagaris' and Van Konynenburgs for crop loss due to installation of North Trunk Sewer. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-285 adopted approving agreement. (P.W. to handle)

CONSENT

23. Consider abandonment of excess right of way for Sisk Road in Block 7170.
(Memo with agenda. Resolution vacating and abandoning Sisk Road right of way in Block 7170 needed.)

ACTION: Res. 80-286 vacating and abandoning Sisk Road right of way. (P.W. to handle)

24. Consider request from the Solar Faire Committee for City assistance in promoting their Solar Faire and Run for the Sun.
(Memo with agenda. Resolution approving with recommended conditions needed.)

ACTION: Res. 80-287 adopted (Bright/Kullijian, unan., Elliott absent) approving with recommended conditions. (P & R/Police/Finance to handle)

CONSENT

25. Recommend to Council an amendment to Section 14-3-9 of the Zoning Map - Erickson Enterprises.
(On March 17, 1980, the Planning Commission adopted Resolution No. 80-68 recommending to the Council an amendment to Section 14-3-9 of the Zoning Map to rezone from R-1 to P-D to allow construction of a roller rink, property located on the south side of Floyd Avenue east of Oakdale Road. Resolution setting public hearing on April 15, 1980, at 4:00 p.m. (Hearing No. 3) needed.)

ACTION: Res. 80-288 adopted setting hearing. (Clerk to handle)

CONSENT

26. Approval of agreement with the County of Stanislaus providing for the distribution of property tax for annexations that have occurred since the adoption of AB 8 and for future annexations.
(Memo with agenda. Resolution approving agreement and two resolutions implementing the agreement for pending annexations needed.)

ACTION: Res. 80-289 adopted approving agreement with the County of Stanislaus.
Res. 80-290 adopted declaring existence of extenuating circumstances which make property tax allocation provisions of agreement dated 2/26/80 inapplicable to certain City of Modesto annexations and governmental reorganizations.
Res. 80-291 adopted incorporating applicable property tax provisions of agreement dated 2/26/80 to certain City of Modesto annexations and governmental reorganizations.

REPORTS

27. Staff update on Old Town activities.
(A brief slide show of the I Street Improvement Project from 6th to 9th: status reports on Old Town Charette--May 3, 1980, and the decorative light standards for Old Town.)

ACTION: Presentation was made by Fred Allen, J.D. Grothe, and Bill Nichols.

MISCELLANEOUS

28. Legislation

ACTION: By motion (Siefkin/Bright, unan., Elliott absent) AB 1983 opposed.
By motion (Lang/Siefkin, unan., Elliott absent) AB 1986 supported.
By motion (Siefkin/Kullijian, unan., Elliott absent) SB 1286 supported.

29. Appointments

ACTION: Res. 80-292 adopted (Kullijian/Lang, unan., Elliott absent) appointing Laurence H. Martin to Seat No. 6 of the Citizens Housing and Community Development Committee, term to expire 6/30/81.

Res. 80-293 adopted (Kullijian/Lang, unan., Elliott absent) appointing the following persons to the Neighborhood Advisory Committee No. 3:

Wanda Melson	Kathryn Salomon
Leopold Prescott	Don Bernard
Sally Todaro	Doug Oliver
Darrell D. Hull	

All terms to expire 6/30/84 (Clerk to handle)

30. Matters too late for the agenda

a. Career Work Experience Education Agreement with Butte Community College District

ACTION: Res. 80-294 adopted (Bright/Lang, unan., Elliott absent) approving agreement. (Mgmt. Services to handle)

Adjourned at 10:20 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 7, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Muratore,
Siefkin, Mayor Mensinger

Absent: Councilmember Lang

Pledge of allegiance to the Flag

Invocation: Rev. Arthur Brohm, Grace Lutheran Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 6, 7, 13, 14, 15, 17,
18, 19, 20, 21, 22, 23, 24, 25, 26, 27,
28, 28A, 29

ACTION: (Muratore/Siefkin, unan., Lang
absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of March 18, 1980, regular meeting, March 20, 1980, adjourned regular meeting, and the March 25, 1980, regular meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved, (Clerk to handle)

BIDS

CONSENT

2. Consider authorizing the purchase of services and materials to modify the Police Department heating and cooling system from Johnson Controls, Inc. for the total price of \$3,700.
(Memorandum with agenda. Resolution authorizing purchase of services and materials needed. Funds are budgeted.)

ACTION: Res. 80-295 adopted authorizing purchase. (Finance to handle)

CONSENT

3. Consider sale of improvements from two City-owned properties.
(Memo with agenda. Bid opening: April 15, 1980 at 10:00 a.m. Resolution approving specifications and calling for bids needed.)

ACTION: Res. 80-296 adopted approving specifications and calling for bids. (P.W. to handle)

CONSENT

4. Consider award of contract for the air conditioning system modification in City Council Chambers.
(Bids were opened March 25, 1980. The low bid of \$24,121, submitted by Dwight Lang's Enterprises, is 2.15% below the engineer's estimate and is considered acceptable. It is recommended by the Public Works Department to award the contract to them. Resolution awarding bid needed. Estimated cost: \$25,871 (\$24,121 Contract; \$1,750 Engr. & Contg.); funds are budgeted.)

ACTION: Res. 80-297 adopted awarding contract. (P.W. to handle)

- 5a. Consider bids received for garage on 11th Street near J Street.
(Memo with agenda. The low bid is \$438,100 above the project cost estimated for the federal grant. The contract can be awarded or the garage redesigned. Motion indicating intent to award the contract or motion directing the staff needed.)

ACTION: By motion (Elliott/Siefkin, unan., Lang absent) Council indicated its intention to proceed with the project, not including alternates 1,2,3, and 4.
(P.T. to handle)

- 5b. Consider approving 5 year agreement covering walkway from Beaty Building to 11th Street parking garage.
(Memo with agenda. Agreement covers a doorway in the garage and the loss of a parking space. The City is to receive \$2,500 and \$30/month. Resolution approving agreement needed.)

ACTION: Res. 80-298 adopted (Kullijian/Siefkin, unan., Lang absent) agreement approved.
(P.T. to handle)

CONSENT

6. Consider approving specifications and authorize call for bids to be opened April 22, 1980, at 2:00 p.m. for furnishing one reader-printer and four readers. (Requested by Public Works Engineering and Administration, the reader-printer will reproduce information stored on 35mm film and aperture cards. Illustrations, plans, and drawings are among many of the items that may be reproduced; usage will not be limited to the Public Works Department. The reader-printer will replace similar equipment presently in service. Resolution authorizing call for bids needed. Estimated cost: \$25,000; funds are budgeted.)

ACTION: Res. 80-299 adopted authorizing call for bids. (Finance to handle)

CONSENT

7. Consider acceptance of the contract of Mac's Backhoe Service for construction of waterline extension in Claus Road. (Original contract: \$12,450.60) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete. Final cost: \$12,270.40; funds are budgeted.)

ACTION: Res. 80-300 adopted accepting work as complete. (Clerk to handle)

HEARINGS

8. Appeal by Ira Matheny to a Planning Commission decision No. 1 concerning rezoning of a 1-acre parcel at 2612 West Rumble Road.

ACTION: By motion (Siefkin/Elliott, unan., Lang absent) Council indicated its intention not to approve more than 14 units.

Res. 80-301 adopted (Siefkin/Elliott, unan., Lang absent) denying appeal for the reasons given by the Planning Commission. (Clerk to handle)

9. Hearing on amendment to P-D(104) to allow additional No. 2 commercial building in the Oakmore Plaza Shopping Center, located at the southwest corner of Lancey Drive and Oakdale Road. (Bank of America)

ACTION: By motion (Siefkin/Muratore, unan., Lang absent) Ord. No. 1934-C.S. introduced amending P-D(104)

Res. 80-302 adopted (same vote) amending development plan. (Clerk to handle)

10. Hearing on appeal by Edward T. Taylor, Jr. to a decision No. 3 of the Board of Appeals concerning electrical repairs on the building at 1016 - 12th Street.

ACTION: By motion (Siefkin/Bright, unan., Lang absent) hearing continued to May 6, 1980, 4:00 p.m. and the M.I.D. letter to the Board of Appeals submitted for evaluation and report. (P.W. to handle)

11. Matters for the good of the community. (These may be presented by interested persons in the audience.)

None

ORDINANCES

12. Final adoption of Ord. No. 1930-C.S. rezoning from C-1 and C-2 to P-D(258) property located south of Needham between 10th and 13th Streets (First Baptist Church).

(Motion adopting needed.)

Councilmembers Kullijian and Muratore excused due to a conflict of interest.

ACTION: By motion (Bright/Siefkin, unan., Kullijian, Lang, Muratore absent) this item continued one week. (Clerk to handle)

CONSENT

13. Final adoption of:

- a. Ord. No. 1927-C.S. rezoning from R-1 to P-0 property on Orangeburg Avenue between Allen Drive and M.I.D. Lateral 4 (Zagaris).
- b. Ord. No. 1928-C.S. amending P-D(188) to allow condominium on northwest corner of Dale and Snyder (Oakhurst Development Group).
- c. Ord. No. 1929-C.S. amending the Modesto Municipal Code relating to charges for water service.
- d. Ord. No. 1931-C.S. rezoning from R-1 and R-2 to P-D(260) property on Scenic Drive east of Oakdale Road to allow a 48-unit condominium (Jim Corn).
- e. Ord. No. 1932-C.S. amending P-D(197) to allow a condominium on the northeast corner of Standiford Avenue and San Clemente Avenue (San Clemente Plaza Group).
- f. Ord. No. 1933-C.S. rezoning from R-2 to P-D(259) property located at the southwest corner of Rumble and Lou Ann (Rex Properties).

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

CONSENT

14. Proposed amendments to the Modesto Municipal Code relating to handicapped parking.

(Memo with agenda. Introduction of three ordinances needed.)

ACTION: By motion, Ord. No. 1935 relating to parking and operation of motor vehicles at the Modesto City-County Airport, introduced.

By motion, Ord. No. 1936 amending Sec. 3-2.1101 & 3-2.1607 relating to parking regulations, introduced.

By motion, Ord. No. 1937 relating to parking for disabled persons, introduced. (Clerk to handle)

NEW BUSINESS

CONSENT

15. Consider agreement with Karl E. Wellman for the acquisition of 890[±] square feet of his property needed for the sidewalks - Sunrise/Lucern to Norwegian project. (Mr. Wellman has agreed to sell the required right of way for the appraised value of \$2,140. This is the sixth parcel out of twelve required for project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-303 adopted approving agreement.

(P.W. to handle)

CONSENT

17. Consider approval of preapplication for Federal funding to construct new terminal access road and expand terminal transient aircraft parking apron at the Modesto City-County Airport,
(Work on two capital projects at the Modesto City-County Airport is progressing, and it would be appropriate at this time to make preapplication for funding. Memo with agenda, Resolution authorizing City Manager to sign and submit the preapplication and to transmit a copy of the preapplication to the County requesting their participation in this project needed. Estimated cost: \$260,000; funds are budgeted.)

ACTION: Res. 80-304 adopted authorizing preapplication. (P.W. to handle)

CONSENT

18. Recommend to Council an amendment to Section 24-3-8 of the Zoning Map - Eugene Abel/Rule Enterprises,
(On March 17, 1980, the Planning Commission adopted Resolution No. 80-76 recommending to the Council an amendment to Section 24-3-8 of the Zoning Map to rezone property to Planned Development Zone P-PD(263) to allow a zero lot line residential development, property located on the east side of Morse Road, south of Blue Gum. Resolution setting public hearing on April 22, 1980, at 7:30 p.m. (Hearing No. 1) needed.)

ACTION: Res. 80-305 adopted setting hearing. (Clerk to handle)

CONSENT

19. Recommend to Council an amendment to Section 24-3-9 of the Zoning Map - Modesto Development, Inc,
(On March 17, 1980, the Planning Commission adopted Resolution No. 80-66 recommending to the Council an amendment to Section 24-3-9 of the Zoning Map to rezone from R-3 to Planned Development Zone, P-D(261) to allow a condominium residential development, property located on the west side of Claus Road, south of Orangeburg. Resolution setting public hearing on April 22, 1980, at 7:30 p.m. (Hearing No. 2) needed.)

ACTION: Res. 80-306 adopted setting hearing. (Clerk to handle)

CONSENT

20. Recommend to Council the granting of an unclassified use permit - St. Stanislaus School, southeast corner of Maze Boulevard and Carpenter Road,
(On March 17, 1980, the Planning Commission adopted Resolution No. 80-70 recommending to the City Council the granting of an unclassified use permit for a multipurpose building. Resolution setting public hearing on April 22, 1980, at 7:30 p.m. (hearing No. 3) needed.)

ACTION: Res. 80-307 adopted setting hearing. (Clerk to handle)

CONSENT

21. Recommend to Council the granting of an amendment to an unclassified use permit - Modesto Church of the Brethren/Therapeutic Homes, Inc.
(On March 17, 1980, the Planning Commission adopted Resolution No. 80-74 recommending to the City Council the granting of an amendment to an unclassified use permit for a parking lot and relocatable classroom addition at property located on the east side of Rosedale Avenue south of Sierra Drive. Resolution setting public hearing on April 22, 1980, at 7:30 p.m. (Hearing No. 4) needed.)

ACTION: Res. 80-308 adopted setting hearing.

(Clerk to handle)

CONSENT

22. Consider setting hearing for Stanislaus County Solid Waste Management Plan.
(The County recently completed the final revisions to the Stanislaus County Solid Waste Management Plan as required by the State Administrative Code. A preliminary draft of this plan was reviewed by the City Council in February. Comments from that discussion have been included as part of the final plan. The staff has participated in the preparation of the revised plan. Copies of the plan are available for review in Public Works office. Resolution setting public hearing on Tuesday, April 15, 1980, at 4:00 p.m. (Hearing No. 4) needed.

ACTION: Res. 80-309 adopted setting hearing.

(Clerk to handle)

CONSENT

23. Consider approving agreement with Katherine Christensen for the acquisition of 510[±] square feet of her property needed for the sidewalks - Sunrise/Lucern to Norwegian project.
(Mrs. Christensen has agreed to sell the required right of way for the appraised value of \$1,200. This is the seventh of twelve parcels required for this project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-310 adopted approving agreement.

(P.W. to handle)

CONSENT

24. Consider approving agreement with Pattie V. Boyer for the acquisition of 900[±] square feet of her property required for the sidewalks - Sunrise/Lucern to Norwegian project.
(Mrs. Boyer has agreed to sell the required right of way for the appraised value of \$2,030. This is the eighth of twelve parcels required for this portion of this project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-311 adopted approving agreement.

(P.W. to handle)

CONSENT

25. The City has been invited to comment on the State Architect's proposed regulations on Handicapped Access Requirements.
(No exception is taken to the technical requirements. Exception is taken to a determination by the State Architect that no increased cost to local government will result from the adoption of the regulations. There will be increased enforcement costs. Memo with agenda. Motion directing staff to prepare a protest statement needed.)

ACTION: By motion, staff directed to prepare protest statement. (P.W. to handle)

CONSENT

26. Consider amending SOSP agreement to eliminate the \$18,000/month expense limitation.
(Memo with agenda. SOSP is short of funds due to Dial-A-Ride cost overruns. The amendment would allow the City to make an interim payment of \$33,390.88 pending the audit now in progress. Resolution approving the amendment to the agreement to eliminate the monthly expense limitation needed. Funds are budgeted.)

ACTION: Res. 80-312 adopted approving amendment to agreement. (P.T. to handle)

CONSENT

27. Recommend to Council an amendment to Section 22-3-9 of the Zoning Map - L & W Enterprises.
(On March 17, 1980, the Planning Commission adopted Resolution No. 80-72 recommending to the Council an amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 and R-3 to P-D(264) to allow conversion of an existing 40-unit two-story apartment complex to a nine building, 10-lot condominium, property located on the southeast corner of Brighton Avenue and Wylie Drive, Resolution setting public hearing on April 22, 1980, at 7:30 p.m. (Hearing No. 5) needed.)

ACTION: Res. 80-313 adopted setting hearing. (Clerk to handle)

CONSENT

28. Consider Overall Economic Program Priorities for 1980,
(It is recommended that O.E.D.P. priorities should be (1) Transportation and (2) Fire Station No. 9. Memo with agenda. Motion approving recommendation for O.E.D.P. needed.)

ACTION: By motion, recommendation approved. (Management Services to handle)

CONSENT

- 28A. Consider approval of City participation in Stanislaus County Spay-Neuter program, the dissolution of the City Voucher program and retention of free license for current year spayed and neutered dogs. Memo with agenda. Motion approving recommendation to participate in the program, and motion authorizing staff to give 30-day notice of cancellation of current voucher program contractors needed.)

ACTION: By motion, participation in program approved.

By motion, staff directed to give 30-day notice of cancellation of current voucher program to contractors. (Mgmt. Services to handle)

REPORTS

CONSENT

29. Submittal of 1979 Recycling Report from Ecology Action.
(The report for 1979 has been submitted by Ecology Action. It provides a historical overview along with a status report on their Recycling Program and financial standing. Motion acknowledging receipt of the report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

30. Legislation

ACTION: By motion (Kullijian/Elliott, unan., Lang absent) AB 2538 opposed.

By motion (Kullijian/Elliott, unan., Lang absent) SB 1827 supported.
(Mgmt. Services to handle)

31. Appointments

None

32. Matters too late for the agenda

None

at 6:05 p.m.,
Adjourned / to Sundial Restaurant, 806 McHenry Avenue, Modesto, for a meeting with
the Modesto Irrigation District Board of Directors.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Regular Meeting
April 1, 1980

The Modesto City Council met pursuant to adjournment at 6:30 p.m. at the Sundial Restaurant, 806 McHenry Avenue, Modesto, California, with the Modesto Irrigation District Board of Directors.

Present: Councilmembers Bright, Elliott, Muratore, Siefkin, Mayor Mensinger

Absent: Councilmembers Kullijian and Lang

The following items were discussed:

1. M.I.D. litigation with the City and County of San Francisco.
2. Use of methane gas in City vehicles.
3. Water and electrical power conservation.
4. Gas turbin peaking power plant.

The meeting adjourned at 9:45 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 8 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kulljian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Ben Bush - First Free Will Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 8, 16,
18, 19, 20, 21, 22

Dropped from agenda: 7

ACTION: (Lang/Muratore, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the regular April 1, 1980, Council meeting, and the adjourned regular April 1, 1980 meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider acceptance of Playgrounds Unlimited's contract for installation of play apparatus in Sylvan Neighborhood Park as complete. (Original contract and final cost: \$24,995)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-314 adopted accepting work as complete. (Clerk to handle)

CONSENT

3. Consider authorizing the purchase of one 6 inch compound water meter from Hersey Products, Inc. for the total purchase price of \$3,870.06.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-315 adopted authorizing purchase. (Finance to handle)

CONSENT

4. Consider approval of specifications and authorize call for bids on annual requirements of traffic line paint to be opened on April 29, 1980, at 2:10 p.m. for fiscal year 1980/81.
(Annual requirements for traffic line paint to be used in marking streets and City parking lots. Resolution authorizing call for bids needed. Estimated Cost: \$41,750. Funds will be budgeted in 1980/81.)

ACTION: Res. 80-316 adopted authorizing call for bids. (Finance to handle)

CONSENT

5. Consider approval of specifications and authorize call for bids on annual requirements of liquid anhydrous ammonia (NH3) to be opened on April 29, 1980, at 2:00 p.m., for fiscal year 1980/81.
(Material required to treat industrial and residential sewage. Resolution authorizing call for bids needed. Estimated Cost: \$27,500. Funds will be budgeted in 1980/81.)

ACTION: Res. 80-317 adopted authorizing call for bids. (Finance to handle)

CONSENT

6. Approve plans and specifications and call for bids for reroofing lower roof section, Fire Station No. 5.
(Bid opening: April 29, 1980 at 11:00 a.m. The lower roof section at Fire Station No. 5 is leaking badly. This project will provide a new roof for this section. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$11,200 (Contract \$8,000 - Contg. & Insp. \$3,200); Funds are budgeted.)

ACTION: Res. 80-318 adopted authorizing call for bids. (P.W. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the construction of the General Aviation Area access road - FAA - ADAP #8-06-0153-07.
(Suggested bid opening: April 29, 1980 at 11:05 a.m. This project is being constructed as part of the 1979/80 Airport Capital Improvement Program. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$116,688 (\$100,000 Contract; \$16,688 Eng. & Contg.) An appropriation transfer will be requested after the bid opening when the exact amount needed to construct the project can be determined.)

DROPPED FROM AGENDA

CONSENT

8. Consider declaring Wedco Inc. low bidder and authorize the purchase of one sewerage lift station transfer switch for the total purchase price of \$3,737.03.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-319 adopted authorizing purchase. (Finance to handle)

9. Appeal by Elmo Wilson, Sr., to a decision by the Board of Zoning Adjustment concerning a variance from parking requirements at 936-10th Street. No. 1

ACTION: Res. 80-320 adopted (Elliott/Kullijian, unan.) denying appeal.

By motion (Elliott/Kullijian, unan.) staff directed to work with the Council Downtown Renaissance Committee, Downtown Improvement District, and Downtown Management Association on a review of the Code parking provisions.
(Planning/P.T. to handle)

10. Hearing on amendment to P-D(86) to allow a 48-unit condominium conversion, property located on the north side of Norwegian west of Coffee Road. (Robert Weeks Realty) No. 2

ACTION: By motion (Elliott/Muratore, unan.) Ord. No. 1938-C.S. introduced.

Res. 80-321 adopted (same vote) approving amendment to P-D(86). (Clerk to handle)

11. Hearing on amendment to the Land Use and Circulation Elements of the Modesto Urban Area General Plan and E.I.R. - College West Area. No. 3

ACTION: Res. 80-322 adopted (Elliott/Lang, majority, Siefkin, Mayor Mensinger-no) adopting the College West amendment to the Land Use and Circulation Element of the Modesto Urban Area General Plan, and certifying review of the environmental assessment.
(Clerk/Planning to handle)

12. Hearing on requirement for construction of curbs and/or sidewalks at the following locations: No. 4

- a. Curb, sidewalk and street patch at 1932 Evergreen Avenue, a portion of Block 6272. (Hardin; Hayes and Toler)
- b. Sidewalk at 1412 Tully Road, Lot 12 of Block 6074. (Ann L. Lopez)
- c. Sidewalk at 1416 Tully Road, Lot 13 of Block 6074. (Bernie A. Rissky)

ACTION: Res. 80-323 adopted (Lang/Bright, unan.) ordering construction. (P.W. to handle)

13. Informal hearing on Urban Trails Plan Amendment. No. 5

Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 80-324 adopted (Lang/Muratore, unan., Mayor Mensinger absent) amendments on Urban Trails Plan. (Planning to handle)

14. Matters for the good of the community,
(These may be presented by interested persons in the audience.)

None

ORDINANCES

15. Final adoption of Ord. No. 1930-C.S. rezoning from C-1 and C-2 to P-D(258) property located south of Needham between 10th and 13th Streets (First Baptist Church).
(Motion adopting needed.)

Councilmembers Kullijian and Muratore excused due to a conflict of interest.

ACTION: By motion (Bright/Lang, majority, Mayor-no, Kullijian and Muratore absent)

Ordinance adopted. (Clerk to handle)

CONSENT

16. Final adoption of the following:

- a. Ord. No. 1934-C.S. amending P-D(104) to allow an additional commercial building, property located on Oakdale Road north of Briggsmore (Bank of America).
- b. Ord. No. 1935-C.S. relating to parking and driving at the Modesto City-County Airport.
- c. Ord. Nos. 1936-C.S. and 1937-C.S. relating to parking for the disabled.
(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

UNFINISHED BUSINESS

17. Staff response to a request of Creighton Brower that City Council initiate an amendment to the City's C-2 zoning to allow jig-making shops.
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Elliott/Siefkin, unan.) request denied.

NEW BUSINESS

CONSENT

18. Recommend to Council an amendment to Standard Specifications to lower street light lamp wattage.
(On March 17, 1980, the Planning Commission adopted Res. 80-77 recommending to the City Council that the Standard Specifications of the City of Modesto be amended to lower the lamp wattage standard for street lights. Resolution amending Standard Specifications needed.)

ACTION: Res. 80-325 adopted amending Standard Specifications. (P.W. to handle)

4/8/80

CONSENT

19. Consider approval of the final map of Kansas Business Park Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code. Subdividers: H.M.C. Development Company, a partnership.
(The subdivision agreement has been signed and all fees paid. Kansas Business Park is located at the northwestern corner of Kansas Avenue and Lone Palm Avenue. It contains 2.312 acres. Resolution approving final map needed.)

ACTION: Res. 80-326 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider request of the Stanislaus Association for the Education of Young Children to sponsor a Children's Festival in Graceada Park on Saturday, May 3, 1980, from 10:00 a.m. to 2:00 p.m.
(Memo with agenda. Resolution authorizing event needed.)

ACTION: Res. 80-327 adopted authorizing event. (P.R. to handle)

CONSENT

21. Recommend an amendment to P-D(218) - Modesto Development Company
(On March 17, 1980, the Planning Commission adopted Res. 80-69 recommending to the City Council an amendment to Planned Development Zone, P-D(218), to increase the number of condominiums from 271 to 277, property located on the north side of Scenic Drive, west of Claus Road. Resolution setting public hearing May 13, 1980, 7:30 p.m., (Hearing No. 1) needed.)

ACTION: Res. 80-328 adopted setting hearing.

CONSENT

22. Consider rescinding three Resolutions of Necessity (Zaiger, Pless and Chambers) for the West Trunk Sewer project.
(Memo with agenda. Three resolutions rescinding Resolutions of Necessity needed.)

ACTION: Res. 80-329 adopted rescinding Resolution of Necessity No. 80-25. (Zaiger)
Res. 80-330 adopted rescinding Resolution of Necessity 80-27. (Pless)
Res. 80-331 adopted rescinding Resolution of Necessity 80-26. (Chambers)
(P.W. to handle)

APPROPRIATION TRANSFER

CONSENT

23. Consider appropriation transfer for the following items in conjunction with the 5 new GMC buses scheduled for delivery April 30, 1980: A. \$7,000 for spare parts; B. \$1,400 for orientation and training of mechanics; C. \$1,000 for storage rack.
(The new GMC buses are of modular construction which is a new concept in design. It is recommended spare parts, training, and a storage rack be approved in conjunction with the new bus delivery. Memo with agenda. Resolution approving appropriation transfer needed. Estimated Cost: \$9,400.)

ACTION: Res. 80-332 adopted approving appropriation transfer. (Finance to handle)

MISCELLANEOUS

24. Legislation

None

25. Appointments

None

26. Matters too late for the agenda

None

Adjourned at 10:35 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 15, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: Councilmembers: None

Pledge of allegiance to the Flag

Invocation: Rev. Lawrence Cartwright - Free Methodist Church^{5a}

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, / 7, , 9, 10, 11, 12, 13, 14, 20, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34

Dropped from Agenda: 8

ACTION: (Kullijian/Elliott, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the April 8, 1980, regular Council meeting.
(Motion approving needed,)

ACTION: By motion, minutes approved, (Clerk to handle)

COMMUNICATIONS

2. Letter from Mike Herron, Executive Director of Head Rest, Inc., regarding the Youth Participation Program.

ACTION: Information presented by members of Head Rest,

CONSENT

3. Letter from Donald Smalley declining the appointment to the Board of Zoning Adjustment.
(Resolution accepting his declining the appointment.)

ACTION: Res. 80-333 adopted accepting his declining the appointment. (Clerk to handle)

CONSENT

4. Letter from Downtown Improvement District requesting permission to hold sidewalk sales on May 3 and 4, and on May 15, 16, and 17, 1980.
(Motion approving request needed.)

ACTION: By motion, request approved. (Planning to handle)

CONSENT

5. Letter from Edith Kirk, Commission on Aging, requesting free bus service for senior citizens on Senior May Day, May 24, 1980.
(Motion referring to staff for recommendation needed.)

ACTION: By motion, letter referred to staff for recommendation. (P.T. to handle)

CONSENT

- 5a. Letter from Greek Orthodox Church appealing a decision of the Board of Zoning Adjustment concerning their request for their social hall expansion on the north side of Tokay Avenue, east of Coddling Drive.
(Resolution setting hearing on May 6, 1980, at 4:00 p.m. (Hearing No. 3) needed.)

ACTION: Res. 80-334 adopted setting hearing. (Clerk to handle)

BIDS

6. Receive oral bids from bidders on two structures excess to the City's needs:

1. 629 Second Street (garage on Fire Station No. 2 site)
2. 900 S. Conejo (quonset building)

(Oral bids may be received from bidders who have submitted written bids for either structure being offered for sale. A resolution calling for bids and approving specifications was approved by Council on April 1, 1980. Resolution awarding bid(s) needed.)

ACTION: No bids received, No action taken. (P.W. to handle)

CONSENT

7. Consider approval of plans and specifications for the construction of the west trunk sewer and authorizing call for bids.
(Suggested bid opening: May 22, 1980 at 2:00 p.m. in the City Council Chambers. The installation of this line will make the final 5-mile connection from the Woodland Avenue Pump Station and the City of Modesto Water Quality Control Plant. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$4,270,500 (Contract \$4,067,113; Engineering \$203,387). An appropriation transfer will be requested after bid opening when the exact amount needed to construct the project is determined.)

ACTION: Res. 80-335 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the construction of Scenic and Claus waterline extension - Phase 1.
(Suggested bid opening: April 29, 1980 at 11:10 a.m. The extension of this main will provide water service for the first phase of Cedarbrook Townhouses. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$35,395 (Contract \$31,268; Engr. \$4,127); funds are budgeted.)

DROPPED FROM AGENDA.

CONSENT

9. Consider awarding contract for 11th Street Garage.
(Memo with agenda. The contract is for \$1,789,100, representing the bid less deductive alternates 1, 2, 3, and 4. Resolution awarding the contract and resolution approving an amendment to the 1979-80 budget to appropriate \$298,300 needed. Estimated cost: \$2,079,665)

ACTION: Res. 80-336 adopted awarding contract.

(P.T./Finance to handle)

Res. 80-337 adopted amending budget.

CONSENT

10. Consider award of contract for Project No. 10 - replacement of curbs, drive aprons, and sidewalks at various locations.
(Bids were opened on April 8, 1980. The low bid of \$22,930, submitted by S.P.M. Development Company, which is 10% above the engineer's estimate is considered acceptable. It is, therefore, recommended that the contract be awarded to them. Resolution awarding contract to S.P.M. Development Co. needed. Estimated cost: \$24,095 (Contract \$22,930; Engr. \$1,165); funds are budgeted.)

ACTION: Res. 80-338 adopted awarding contract.

(P.W. to handle)

CONSENT

11. Consider award of contract for improvement of Capistrano Drive at park site.
(Bids were opened April 8, 1980. The low bid of The Flintkote Company, which is 32% below the engineer's estimate, is considered acceptable. Therefore, it is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost: \$10,032.50 (Contract \$8,635; Engr. \$1,397.50); funds are budgeted.)

ACTION: Res. 80-339 adopted awarding contract.

(P,W, to handle)

CONSENT

12. Consider award of contract for street light modernization - J Street from 12th Street to McHenry Avenue.
(Bids were opened April 8, 1980. The low bid of Industrial Electric Company, which is 46% below the engineer's estimate is considered acceptable. Therefore, it is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost: \$15,740.40 (Contract \$12,740.40; Engr. \$3,000); funds are budgeted.)

ACTION: Res. 80-340 adopted awarding contract. (P.W. to handle)

CONSENT

13. Consider acceptance of Joe Martin Pipeline, Inc.'s contract for replacement of waterlines in Imperial Avenue and Guthrie Avenue. (Original contract: \$67,038) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$67,273.50; funds are budgeted.)

ACTION: Res. 80-341 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider declaring the Gamewell Fire Alarm System surplus to City needs and authorize a public sale to be held April 25, 1980, at 8:00 a.m. for the purpose of selling the fire alarm equipment and old parking meters previously declared surplus.
(Memorandum with agenda. Resolution declaring Gamewell Fire Alarm System surplus property and authorizing public sale needed.)

ACTION: Res. 80-342 adopted declaring property surplus and authorizing public sale. (Finance to handle)

HEARINGS

15. Hearing on appeal by Dwight & Carol Wimberly to a Board of Zoning Adjustment decision regarding a variance in connection with a patio cover. No. 1

ACTION: By motion (Kullijian/Elliott, unan.) hearing continued to March 6, 1980, 4:00 p.m., as requested by the attorney for the applicants. (Clerk to handle)

16. Hearing on appeal by Central Valley Chrysler-Plymouth, Inc. regarding a decision by the Board of Zoning Adjustment about a sign at 605 N. Franklin. No. 2

ACTION: Res. 80-343 adopted (Siefkin/Muratore, majority, Kullijian and Lang-no) denying the appeal and upholding the Board of Zoning Adjustment decision. (P.W. to handle)

17. Hearing on amendment to Section 14-3-9 of the Zoning Map to rezone from R-1 to P-D to allow construction of a roller rink, property located on the south side of Floyd Avenue east of Oakdale Road (Erickson). No. 3

ACTION: By motion (Elliott/Kullijian, unan.) Ord. 1939-C.S. introduced. amending Section 14-3-9.

Res. 80-344 adopted (same vote) approving plan.

Res. 80-345 adopted (same vote) certifying review of Environmental Assessment Report. (Clerk/Planning to handle)

18. Hearing on the Stanislaus County Solid Waste Management Plan. No. 4

ACTION: Res. 80-346 adopted (Elliott/Siefkin, unan.) approving the Plan. (P.W. to handle)

19. Matters for the good of the community.
(These matters may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

20. Final adoption of Ord. No. 1938-C.S. amending P-D(86) to allow a 48-unit condominium conversion, Norwegian west of Coffee Road (Robert Weeks Realty). (Motion adopting needed.)

ACTION: By motion, ordinance adopted. (Clerk to handle)

21. Consider amending Section 5-6.06, Subtrunk Sewer Extension Charges, of the Municipal Code to increase subtrunk charge from \$150 per acre to \$500 per acre. (Subtrunk sewer charge was set in 1967. There have been no adjustments over the years even though construction costs have continued to increase. An adjustment at this time is necessary so that charges more closely cover construction costs. Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion (Lang/Kullijian, unan.) this item continued to May 13, 1980. (Clerk to handle)

UNFINISHED BUSINESS

22. Further consider request by Mid-Valley Engineering, Inc. to use improvement district proceedings for construction of off-site improvements in the West Campus Business Park at Blue Gum and Carpenter.
(Continued from the March 11, 1980, Council meeting.)

ACTION: By motion (Kullijian/Lang, unan.) this item continued to May 20, 1980.
(Clerk to handle)

NEW BUSINESS

CONSENT

23. Consider setting hearing to amend the Conflict of Interest Code of the Public Works Department, deleting the title of Plan Review Engineer II on the list of designated employees.
(Resolution setting hearing May 6, 1980, 4:00 p.m. (Hearing No. 2) needed.)

ACTION: Res. 80-347 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider approval of Airport lease agreement with Golden Gate Airlines to operate out of the terminal building at the Modesto City-County Airport.
(Golden Gate Airlines is now our commercial air carrier providing service primarily to San Francisco and Los Angeles. An agreement with a term of three years has been prepared establishing the conditions and fees for their occupancy of the terminal building at the Airport. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 80-348 adopted approving agreement. (P.W. to handle)

CONSENT

25. Consider approval of agreement with State for installation of crossing gates and flashing lights at the Needham crossing of Tidewater Southern Railway.
(Memo with agenda. Project has been approved for 100% Federal and State funding for the estimated \$59,250 cost. Resolution approving agreement needed.)

ACTION: Res. 80-349 adopted approving agreement. (P.T. to handle)

CONSENT

26. Consider approving agreement with Hubert W. Scott, trustee, for the acquisition of his property required for Dry Creek Park and the proposed Dry Creek Golf Course and also authorize an amendment to the FY 1979-80 Budget to provide additional funds required for this purchase. Also, consider approving lease agreement with Hubert W. and Eula B. Scott to lease the Scott house and lease agreement with Donald H. and Margaret D. Scott to lease the remaining agricultural property.
Memo with agenda. (Continued on next page.)

CONSENT

26. (Continued from Page 6)

(Four resolutions required: (1) approve purchase agreement with Hubert W. Scott; (2) approve lease agreement with Hubert W. and Eula B. Scott; (3) approve lease agreement with Donald H. and Margaret D. Scott; (4) authorize amending the budget to transfer \$95,000 from the General Fund to the Dry Creek Fund acquisition appropriation in the Special Fund for Capital Outlay. Estimated cost: \$725,000 purchase price, \$5,000 Est. Escrow; Total \$730,000; funds are budgeted.)

ACTION: Res. 80-350 adopted approving agreement with Hubert Scott for acquisition of his property.

Res. 80-351 adopted approving agreement with Hubert & Eula Scott to lease the Scott house.

Res. 80-352 adopted approving agreement with Donald & Margaret Scott to lease agricultural area of Scott property.

Res. 80-353 adopted approving amendment to the budget. (P.W. to handle)

CONSENT

27. Consider approving agreement with Oscar Long, Meda Mae Long, and the Department of Veterans Affairs of the State of California for the acquisition of 600- square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project.

(The Longs and the State of California have agreed to sell the acquired right of way for the appraised value of \$1,250. This is the ninth of 12 parcels needed for this portion of this project. Resolution approving agreement needed. Estimated cost: \$1,250 purchase price, \$3,00 recording cost for document required by Dept. of Veterans Affairs; Total \$1,253; funds are budgeted.)

ACTION: Res. 80-354 adopted approving agreement. (P.W. to handle)

CONSENT

28. Amendment to the Alphabetical Listing of Classifications and Classification Plan; Animal Control Officer and Animal Control Trainee.

(Memo with agenda. Resolution amending classification plan and resolution amending resolution establishing salaries needed.)

ACTION: Res. 80-355 adopted amending classification plan.

Res. 80-356 adopted amending resolution establishing salaries. (Mgmt. Services to handle)

CONSENT

29. Consider dropping plans for traffic signals on College at Bowen. (Memo with agenda. Federal funding (85%) has not materialized. Dropping the project is recommended. (Motion deleting the project needed.)

ACTION: By motion, project deleted from Capital Improvement Program. (Finance to handle)

CONSENT

30. Consider request for sewer service to property outside City limits at 500 Amador Avenue, located on the south side of Amador Avenue between Seattle Street and Portland Avenue. Owners: Willie and Gladys Owens

(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-357 adopted approving agreement. (P.W. to handle)

CONSENT

31. Consider request for sewer service to property outside City limits at 504 Amador Avenue, located on the south side of Amador Avenue between Seattle Street and Portland Avenue. Owners: Carmen Perez and Otilia Perez.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-358 adopted approving agreement. (P.W. to handle)

CONSENT

32. Consider changing on-street parking limits from 24 minutes to 30 minutes.
(Memo with agenda. Downtown groups and the Council's Renaissance Committee recommend changing the time limit. Motion approving recommendation needed. Estimated cost: \$400; funds are budgeted.)

ACTION: By motion, recommendation approved, (P.T. to handle)

CONSENT

33. Further consideration of the request of Funsten Nut to vacate and abandon portions of 10th and C Streets and the alley in Block 50.
(On October 16, 1979, the Council considered the requested street and alley abandonment, but deferred action until the Funsten Nut labor dispute was settled or for 6 months. The labor dispute has not been settled and it is recommended that the Council terminate proceedings. (Letter to Funsten Nut with agenda.) Motion terminating abandonment proceedings needed.)

ACTION: By motion, abandonment proceedings terminated, (Planning to handle)

REPORTS

CONSENT

34. Presentation of Financial Statement for March, 1980.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

35. Legislation - None

36. Appointments

(a) Annual election of Vice Mayor

ACTION: Res. 80-359 adopted (Lang/Kullijian, unan.) electing Susan Siefkin Vice Mayor.

37. Matters too late for the agenda.

None

Adjourned at 5:55 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 22, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 7, 8, 9, 10, 11, 12, 13,
Dropped from agenda: 21, 30 19, 20, 22, 23, 24, 25, 26, 27, 28, 29,
Removed from consent: 6, 31 32, 33, 34, 35

ACTION: (Kullijian/Lang, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

PRESENTATION

1. Presentation of proclamation regarding Senior Center Week.
ACTION: Mayor Mensinger presented the proclamation to Lee Osborne, a representative of Modesto's Senior Citizens.
By motion (Kullijian/Muratore, unan.) the proclamation was adopted.

MINUTES

CONSENT

2. Approval of minutes of the April 15, 1980 regular Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved. (Clerk to handle)

COMMUNICATION

CONSENT

3. Letter from Douglas L. Smith, Sign Designs, Inc., requesting a revision of the sign Code regulations.
(Motion referring to staff for recommendation needed.)

ACTION: By motion, request referred to staff for recommendation. (Planning to handle)

4. Request from Stanislaus County Solar & Energy Conservation Faire Association requesting a resolution proclaiming May 4 through May 10, 1980, as "Energy Awareness Week," proclaiming May 8, 1980, as "Transportation Conservation Day" and requesting free bus service on May 8.

ACTION: By motion (Siefkin/Lang, unan.) request for free bus service on May 18, 1980 approved. (P.T. to handle)

BIDS

CONSENT

5. Consider sale of improvements located on future Del Webb Soccer Field expansion area.
(Memo with agenda. Bid opening May 20, 1980 at 10:00 a.m. Resolution calling for bids and approving specification and notice to bidders needed.)

ACTION: Res. 80-360 adopted calling for bids. (P.W. to handle)

CONSENT

10:00 a.m.

6. Consider specification and notice to bidders for an Airport parking concession.
(Memo with agenda. Bid opening May 22, 1980. We are requesting proposals from concessionaires to operate parking at the Airport terminal. Resolution approving specifications and calling for bids needed.)

ACTION: By motion (Kullijian/Lang, majority, Elliott-no) this item deferred until the Airport budget is considered. (P.W. to handle)

CONSENT

7. Consider approval of specifications and authorize call for bids on annual requirements of swimming pool chlorine and muratic acid to be opened on May 13, 1980 at 2:00 p.m., for fiscal year 1980/81.
(These are annual requirements for liquid and tablet chlorine and muratic acid for use in City owned and operated swimming and wading pools. Resolution authorizing call for bids needed. Estimated Cost: \$4,600. Funds to be budgeted in 1980/81.)

ACTION: Res. 80-361 adopted calling for bids. (Finance to handle)

CONSENT

2:00 p.m.

8. Consider approving specifications and authorize call for bids to be opened May 20, 1980, for furnishing annual requirements of liquid chlorine.
(An annual requirement, the liquid chlorine bid is a cooperative venture with the Cities of Oakdale and Turlock. The chlorine gas is used in treating industrial and residential sewage and is purchased intermittently throughout the year. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$112,000. Funds will be budgeted in 1980/81.)

ACTION: Res. 80-362 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approval of specifications and authorize call for bids on annual requirements of rock, sand, and gravel products to be opened on May 13, 1980, at 2:15 for fiscal year 1980/81.
(Rock, sand, and gravel products are used for water line extensions, new general construction, park site developments, and general maintenance and repairs by the Public Works Department and the Parks and Recreation Department. Resolution authorizing call for bids needed. Estimated Cost: \$30,000. Funds will be budgeted in 1980/81.)

ACTION: Res. 80-363 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approval of specifications and authorize call for bids on annual requirements of ready-mixed concrete to be opened on May 13, 1980, at 2:05 p.m. for fiscal year 1980/81.
(Materials to be used in various maintenance and repair, general construction, and capital outlay projects in the Public Works Department and the Parks and Recreation Department. Resolution authorizing call for bids needed. Estimated Cost: \$15,000. Funds will be budgeted in 1980/81.)

ACTION: Res. 80-364 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider declaring Industrial Electric low bidder on Item I and authorize the purchase of three brush holders for the total purchase price of \$351.71. Consider declaring Benkiser Electric Motors low bidder on Item II and authorize the purchase of one slip ring for the total purchase price of \$5,326.
(Memorandum with agenda. 1) Resolution authorizing purchase of three brush holders needed; 2) Resolution authorizing purchase of one slip ring needed. Estimated Cost: \$5,677.71. Funds are budgeted.)

ACTION: Res. 80-365 adopted authorizing purchase from Industrial Electric.
Res. 80-366 adopted authorizing purchase from Benkiser Electric Motors.
(Finance to handle)

CONSENT

12. Consider acceptance of Kirkes Electric's contract for Revard Park lighting as complete. (Original contract and final cost: \$6,737)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-367 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of Motorola, Inc.'s contract for radio communication system for Fire Department as complete. (Original contract: \$126,549.77)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$138,248.86. Funds are budgeted.)

ACTION: Res. 80-368 adopted accepting work as complete. (Clerk to handle)

HEARINGS

14. Hearing on amendment to Section 24-3-8 of the Zoning Map to rezone property to Planned Development Zone P-PB(263) to allow a zero lot line residential development, property located on the east side of Morse Road, south of Blue Gum. (Rule Enterprises) No. 1
ACTION: By motion (Siefkin/Muratore, unan.) Ord. No. 1940-C.S. introduced.
Res. 80-369 adopted (same vote) approving plan.
Res. 80-370 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

15. Hearing on amendment to Section 24-3-9 of the Zoning Map to rezone from R-3 to Planned Development Zone, P-D(261) to allow a condominium residential development, property located on the west side of Claus Road, south of Orangeburg. (Modesto Development, Inc.) No. 2
ACTION: By motion (Lang/Kullijian, unan.) Ord. No. 1941-C.S. introduced.
Res. 80-371 adopted (same vote) approving plan.
Res. 80-372 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

16. Hearing on unclassified use permit requested by the St. Stanislaus School on the southeast corner of Maze Boulevard and Carpenter Road, for a multi-purpose building. No. 3
ACTION: Res. 80-373 adopted (Muratore/Siefkin, unan.) project approved with all improvements to be completed in five years. (Clerk/P.W. to handle)

17. Hearing on unclassified use permit requested by Modesto Church of the Brethren/Therapeutic Homes, Inc. for a parking lot and relocatable classroom addition at property located on the east side of Rosedale Avenue south of Sierra Drive. No. 4
ACTION: Res. 80-374 adopted (Muratore/Siefkin, unan.) granting use permit. (Clerk to handle)

18. Hearing on amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 and R-3 to P-D(264) to allow conversion of an existing 40-unit two-story apartment complex to a nine building, 10-lot condominium, property located on the southeast corner of Brighton Avenue and Wylie Drive. (L & W Enterprises) No. 5
ACTION: By motion (Kullijian/Siefkin, unan.) Ord. No. 1942-C.S. introduced.
Res. 80-375 adopted (same vote) approving plan.
Res. 80-376 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

ACTION: Henry Martin, N.A.A.C.P., requested the Council to appoint more Blacks to City Boards and Commissions.

ORDINANCES

CONSENT

19. Final adoption of Ord. No. 1939-C.S, rezoning from R-1 to P-D(262) property on Floyd east of Oakdale Road to permit a roller rink. (Robert Erickson) (Motion adopting needed.)

ACTION: By motion, ordinance adopted.

NEW BUSINESS

CONSENT

20. Consider Water Conservation Program for summer, 1980. (Staff recommends adoption of a Water Conservation Program again this summer, including a Council resolution prohibiting outside watering of landscaped areas from 4:00 p.m. until 8:00 p.m., June 1, 1980 through September 15, 1980, each day except Sunday. Memo with agenda, Resolution approving Water Conservation Program needed. Estimated cost: \$8,300; funds are budgeted.)

ACTION: Res. 80-377 adopted approving program. (P.W. to handle)

CONSENT

21. Consider lease agreement with Foster Farms, Inc, for a ground lease on the north side of the Airport adjacent to Mitchell Road to be used for construction of a corporate hangar. (This lease is essentially the same as the Snider, et al. lease, i.e., 20 year term, \$3,100/acre, improvements to become City's at end of term, etc. The location is as suggested by the Airport Master Plan. Resolution approving agreement needed.)

DROPPED FROM AGENDA

CONSENT

22. Consider approving agreement with Richard W, and Leanne J. Rhodes for the acquisition of 949- s.f. of their property needed for sidewalks - Sunrise/Lucern to Norwegian project. (The Rhodes have agreed to sell the required right of way for the appraised value of \$2,080. This is the 10th of 12 parcels required for this portion of the project. Resolution approving agreement needed.)

ACTION: Res. 80-378 adopted approving agreement. (P.W. to handle)

CONSENT

23. Renewal of food concession at Beard Brook Park. (Mr. Charles Wright has requested the renewal of his contract to operate a food concession at Beard Brook Park. The City's relationship with Mr. Wright regarding the concession has been most satisfactory, and it is recommended that the contract be renewed for 1 year (5-1-80 to 4-30-81). All the terms and conditions which applied under the last agreement will remain in force with the following exceptions in Appendix A requested by Mr. Wright: #1 Soft drinks - increase from 35¢ to 40¢; #3 Popcorn bars - increase from 20¢ to 25¢; #4 No hot dogs will be sold. Resolution approving agreement needed.)

ACTION: Res. 80-379 adopted approving agreement. (P.R. to handle)

CONSENT

24. LAFCO Questionnaire regarding proposed Burbank School governmental reorganization. (Modesto City Schools has requested that Burbank Elementary School, approximately 6.8 acres located on the north side of Paradise Road between Beverly Drive and Vernon Avenue, be annexed to the City. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 80-380 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

25. Consider adopting minor amendments to the Towing Service Ordinance. (Memorandum with agenda. Motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 1943-C.S. introduced. (Clerk to handle)

CONSENT

26. Consider adopting a resolution authorizing the City Manager to sign grant application with the Office of Traffic Safety to fund a "Driving Under the Influence" Program. (Memo with agenda. Resolution approving grant application needed.)

ACTION: Res. 80-381 adopted approving grant application. (Police to handle)

CONSENT

27. El Concilio of Stanislaus County is seeking permission to hold a parade and a celebration in Beard Brook Park for Cinco de Mayo on May 3, 1980. The request and staff recommendations are substantially the same as last year. (Memo with agenda. Resolution granting permission needed.)

ACTION: Res. 80-382 adopted granting permission. (P.R./Police to handle)

CONSENT

28. The Stanislaus County Humane Society requests use of Graceada Park to hold their annual All American Mutt and Alley Cat Show on May 4, 1980. (Memo with agenda. Resolution permitting use of park needed.)

ACTION: Res. 80-383 adopted permitting use of park. (P.R. to handle)

CONSENT

29. Consider acceptance of improvements in Shasta Estates No. 3 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Joaquin Construction Co., Inc.) (Shasta Estates No. 3 subdivision is located north of Torrid Avenue and west of Diablo Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-384 adopted accepting improvements as complete. (Clerk to handle)

30. Consider submitting two grant renewals for the 2nd year continuation of the Community Service Officer Program in the Police Department. (Memo with agenda. Two resolutions authorizing the City Manager to sign the two grant renewals needed.)

DROPPED FROM AGENDA

31. Recommend to the City Council an amendment to Section 17-3-9 of the Zoning Map - William Witzke.
(On April 7, 1980, the Planning Commission adopted Resolution 80-90 recommending to the City Council an amendment to Section 17-3-9 of the Zoning Map to rezone from R-1 to R-2, and denying requested P-0 zoning, property located at the north-east corner of Tully Road and Bowen Avenue. Resolution setting public hearing on May 13, 1980, at 7:30 p.m. (Hearing No. 2) needed.)

ACTION: Res. 80-385 adopted (Muratore/Kullijian, unan.) setting hearing. (Clerk to handle)

- 31A. Appeal by William Witzke to a decision of the Planning Commission regarding P-0 Zoning.

ACTION: Res. 80-386 adopted (Muratore/Kullijian, unan.) setting hearing on the appeal regarding P-0 Zoning for May 13, 1980, 7:30 p.m. (Hearing No. 3). (Clerk)

CONSENT

32. Recommend to Council an amendment to P-D(201) - Modesto Development.
(On April 7, 1980, the Planning Commission adopted Resolution 80-93 recommending to the City Council an amendment to P-D(201) to allow a 20-unit condominium conversion property located on the south side of Floyd east of Jasmin. Resolution setting public hearing on May 13, 1980, at 7:30 p.m. (Hearing No. 4) needed.)

ACTION: Res. 80-387 adopted setting hearing. (Clerk to handle)

CONSENT

33. Consider the following:

- 1) Withdrawal of Chicago Avenue Annexation from Burbank-Paradise Fire District;
- 2) Withdrawal of Dale-Snyder No. 2 Annexation from Salida Fire District;
- 3) Withdrawal of Crows Landing-Whitmore Annexation from the Industrial Fire Protection District;
- 4) Withdrawal of Lance-Ellis Annexation from the Empire Fire District;
- 5) Withdrawal of Standiford-Carver No. 2 Annexation from the Woodland Fire District;
- 6) Withdrawal of Sutter-Figaro Annexation from the Burbank-Paradise Fire District.

(The annexations to the City were filed by LAFCO at the County Recorder's office on April 4, 1980, which is the effective date. Six resolutions withdrawing from fire districts needed.)

ACTION: Res. 80-388 adopted withdrawing Chicago Avenue Annexation from Fire District.
Res. 80-389 adopted withdrawing Dale-Snyder No. 2 Annexation from Fire District.
Res. 80-390 adopted withdrawing Crows Landing-Whitmore Annexation from Fire Dist.
Res. 80-391 adopted withdrawing Lance-Ellis Annexation from Fire District.
Res. 80-392 adopted withdrawing Standiford-Carver No. 2 Annexation from Fire Dist.
Res. 80-393 adopted withdrawing Sutter-Figaro Annexation from Fire District.

CONSENT

34. Consider determining that the public interest and convenience require that the following annexations be annexed to Modesto Municipal Sewer District No. 1:

- 1) Chicago Avenue
- 2) Dale-Snyder No. 2
- 3) Crows Landing-Whitmore
- 4) Lance-Ellis
- 5) Standiford-Carver No. 2
- 6) Sutter-Figaro

(The effective date for the above annexations is April 4, 1980. Resolutions setting public hearings on June 3, 1980 at 4:00 p.m. (Chicago Avenue, Hearing No. 1; Dale-Snyder No. 2, Hearing No. 2; Crows Landing-Whitmore, Hearing No. 3; Lance-Ellis, Hearing No. 4; Standiford-Carver No. 2, Hearing No. 5; Sutter-Figaro, Hearing No. 6) needed.) (Five affirmative votes needed.)

ACTION: Res. 80-394 adopted setting hearing on Chicago Avenue Annexation.
Res. 80-395 adopted setting hearing on Dale-Snyder No. 2 Annexation.
Res. 80-396 adopted setting hearing on Crows Landing-Whitmore Annexation.
Res. 80-397 adopted setting hearing on Lance-Ellis Annexation.
Res. 80-398 adopted setting hearing on Standiford-Carver No. 2 Annexation.
Res. 80-399 adopted setting hearing on Sutter-Figaro Annexation. (Clerk to handle)

REPORTS

CONSENT

35. Notice of PGandE application to increase gas rates.
(Memo with agenda. PGandE has requested approval for a \$10,094,000 increase and for authority to make future increases to fund a zero interest plan to finance energy conservation measures in homes. Motion acknowledging receipt of the report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

36. Legislation

None

37. Appointments

None

38. Matters too late for the agenda

ACTION: Councilmember Elliott congratulated Councilmember Lang on his appointment as Principal of Modesto High School and commended the Board of Education for making the appointment.

Adjourned at 10:30 p.m. to Tuesday, April 29, 1980, 7:30 p.m., Council Chambers, City Hall, 801 11th Street, Modesto, California.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk

The Modesto City Council met pursuant to adjournment at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California.

Present: Councilmembers Bright, Elliott, Lang, Muratore, Siefkin,
Mayor Mensinger

Absent: Councilmember Kullijian

Mayor Mensinger explained that the purpose of the forum-type meeting was to give citizens an opportunity to express any thoughts or ideas they have concerning the City of Modesto. The following people spoke:

Jerry Peters 405 Birchwood Court	Suggestion concerning cutting cost of garden refuse collection.
Jon Shastid 414 Mensinger	Urged rebuilding/restoring downtown.
Cindi Orton 1112 Peppermint Court	Believes streets are repaved that do not need it, others should be repaved; traffic signals not placed where most needed.
Richard Hoffman 1929 Diamondhead Drive	Felt maintenance cost high and quality low at golf courses; need more supervision.
Willodean Binna 3101 Williamsburg Way	Museum needs elevator, carpeting on stairs, typewriter.
Manual Gonzalves 3413 Montclair Circle	Requested funds for Coalition Center of the Disabled.
Cecil Comer 2845 East Hatch Road	Requested reduced rates on golf courses for citizens living in Stanislaus County.
Jim Knox, Assistant Director Ecology Action	Urged preservation of agricultural lands; revitalization of downtown; housing downtown; higher density in Modesto; look at what is being done in Davis, Calif.; continue buying buses; more bike lanes and bike parking; bring passenger rail service to Modesto; encourage source garbage separation and recycling. Commended City on methane gas program, integrated pest control program, Tuolumne River Regional Park.
Pat Holsonbake and Ruby Oliver, Coalition Center for Disabled	Described activities to be carried on at the proposed center.
William Smith 1428 Picardy Drive	Commended Mary Grogan and Heidi Warner. Suggested volunteers for police and fire, such as at the Museum; more supervision to get more work from present workers.

Frank Burke
501 King Richard Lane

Urged Council to take a position on Proposition 9.

Marcus Hilden
3801 Fushia Lane

City should construct streets, rather than developers when developing adjacent parcel, and prorate costs and assess to developers of the land along the streets.

Melba Anderson
921 Magnolia

Build more bike lanes and sidewalks to encourage biking and walking.

Lucille Bourbeau
925 Sonoma Avenue

Has heard of a new requirement that buses pick up passengers on the "far side" of the intersection; questioned cost effectiveness of new garden refuse equipment; said merchants sweep dirt and debris into gutter after street sweeper has passed.

Kevin Miranda
1204 Mayette

Bus drivers leave people at stops; 45 minute wait for buses on McHenry; list of community services is needed, stop sign covered by a tree near Doctors' Hospital; telephone booth at bus stop has been removed; change ordinance concerning outdoor concerts; more after-hours bars needed.

Stan Farrow
625 Fern

Limit parking on thoroughfares to make room for bike lanes, if necessary; limit parking at times when street sweeper is out; improve traffic signal sequencing on McHenry; extend Virginia along track right-of-way; City clean weeds from property and place lien on property if necessary to collect cost of work.

Vickie Yturraldi
128B East Fairmont

Implement bike route plans; continue present bus schedule; promote County ride-sharing program; revitalize downtown, making main downtown streets carless; penalize businesses that leave lights on all night; give funds to Women's Refuge.

Sandra McClain
3209 Poppypatch

Put barricades on streets in LaLoma area when flooded.

Myrtle Osner
1104 Wellesley

Keep parks and libraries when tax cutting measures are voted in; get grants; improve efficiency; improve transportation.

Ross Penner
112 Palm Avenue

Bike riders don't obey stop signs, need more police officers to patrol McHenry.

J. C.
711 Coldwell

Problems with the train on Virginia--noise, blocked crossings.

Alvin Stahl
120 Virginia

Trees cover street lights; pedestrians can not be seen on west side of 11th Street at Needham; loud pipes on cars and motorcycles; riders go both directions in bike lanes; should be a minimum age for bike riders; problem of cars parked on the wrong side of the street.

Clarence Blom
1216 Enslin

Need more places for baseball fields--something like the fields in Riverbank.

Vivian Holtham
608 W. Morris

Need more police--not more parks; continue garden refuse; sidewalks being put in where not needed; blowers being used when not needed; vote no on 9; lives across from a park and has problems with shootings and burglaries.

Don Wilson
North Avenue

"Tell" P.U.C. what to do about trains; City should have an over-all plan.

Dave Krediet
3109 Rozanna Court

Citizens and Council should work together to get things done.

Michael Hogan
1807 Ladd Road

Presented a written statement prior to the Council meeting concerning need for expressways,

After Councilmembers had an opportunity to make some brief comments, the Mayor adjourned the meeting at 9:35 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 6,

1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Albert Vaders, Bethel Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
Dropped from agenda: 50, 61 16, 17, 18, 19, 20, 21, 27, 29, 30, 31,
Removed from consent: 5, 32, 58 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44,
59, 62, 63, 64
ACTION: (Lang/Muratore, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

PRESENTATION

1. Suggestion award in the amount of \$50,00 to Thomas Kennedy, Parks and Recreation employee, for designing the review stage that is used for the Fourth of July Parade and Teen Day. The new design saves man-hours in erecting and dismantling the stage.

ACTION: Mayor Mensinger presented the award to Thomas Kennedy,

MINUTES

CONSENT

2. Approval of minutes of the regular Council meeting of April 22, 1980, and the adjourned regular Council meeting of April 29, 1980.
(Motion approving minutes needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

3. Letter from L.M. Osborne, President of Senior Activities, Inc., regarding "Senior Center Week".

ACTION: By motion (Kullijian/Elliott, unan.) staff requested to give Council an updated report on planning, funding etc., for the proposed Senior Activities Center.
(P. R. to handle)

4. Letter from City of Modesto Retired Employees' Association regarding an increase in retirement payments for City employees who retired prior to December 31, 1973.

ACTION: Mayor Mensinger stated the actuarial study is under way.

5. Letter from Community Crusade Against Drugs requesting funds to support narcotics education program for the Modesto City Schools.
(Motion referring to proper budget session needed.)
Councilmember Muratore excused due to a conflict of interest.

ACTION: By motion (Siefkin/Bright, unan., Muratore absent) referred to proper budget session.

(Finance to handle)

CONSENT

6. Letter from Coalition Center of the Disabled requesting funds to provide a facility and services for various groups of disabled persons.
(Motion referring to the proper budget session needed.)

ACTION: By motion, referred to proper budget session.

(Finance to handle)

CONSENT

7. Request from Modesto Golf Club to use driving range for a hole-in-one tournament on July 26 and 27, 1980, with proceeds to be donated to the George Moroney Fund for golfing youth.
(Resolution approving request needed.)

ACTION: Res. 80-400 adopted approving request,

(P.R. to handle)

CONSENT

8. Consider approving specifications and authorize call for bids to be opened May 27, 1980, at 2:00 p.m., for furnishing annual training pool maintenance services.

(Requested by the Parks Department, the training pool maintenance service will be conducted during the summer months on City owned pools. Bids submitted will be compared to the cost of City personnel performing the same service and a final recommendation will be submitted for Council consideration. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$11,200. Funds are budgeted.)

ACTION: Res. 80-401 adopted calling for bids.

(Finance to handle)

CONSENT

9. Consider approving specifications and authorizing call for bids to be opened May 27, 1980, at 2:30 for furnishing annual compaction and aggregate testing services.

(The compaction and aggregate tests will be performed on various City street, water, or construction projects and the services will be purchased intermittently throughout the 1980-81 Fiscal Year. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$11,000. Funds are budgeted.)

ACTION: Res. 80-402 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for remodeling of building at 11th and F Streets for use by the Fire Prevention Bureau, and approval of appropriation transfer of \$38,000.

(Suggested bid opening: May 27, 1980 at 11:00 a.m. This project will provide offices for the Fire Prevention Bureaus adjacent to Fire Station No. 1. It may be necessary to transfer additional funds at a later time depending on the amount of the bids. Resolution approving plans and specifications and call for bids and resolution approving appropriation transfer needed. Estimated cost: \$100,000 (Contract \$70,000; Engrg. \$5,000; parking lot \$25,000); funds are partially budgeted.)

ACTION: Res. 80-403 adopted calling for bids.

(P.W. to handle)

Res. 80-404 adopted approving appropriation transfer.

CONSENT

11. Consider approval of plans and specifications and call for bids for the paving of the Police parking lot at 610 - 10th Street.

(Suggested bid opening: May 20, 1980 at 11:10 a.m. The construction of this project will supply the Police Department with the additional required parking spaces they need. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$41,300 (Contract \$35,000; Eng. \$6,300) Funds are budgeted.)

ACTION: Res. 80-405 adopted calling for bids.

(P.W. to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the construction of waterline extension at Lincoln and Yosemite Blvd.

(Suggested bid opening: May 20, 1980 at 11:05 a.m. The extension of this main will provide water service to the Yosemite Gardens Subdivision. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$29,529 (Contract, \$26,390; Eng. \$3,139). Funds are budgeted.)

ACTION: Res. 80-406 adopted calling for bids.

(P.W. to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for the construction of waterline extension at Scenic and Claus.
(Suggested bid opening: May 20, 1980 at 11:00 a.m. The extension of this main will provide water service for the Cedarbrook Townhouses. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$35,395 (Contract \$31,268; Eng. \$4,127). Funds are budgeted.)

ACTION: Res. 80-407 adopted calling for bids.

(P.W. to handle)

CONSENT

14. Consider rejecting all bids received April 15, 1980, at 2:00 p.m., for furnishing one backhoe trailer. Also, consider approval of new specifications and authorize call for bids to be opened May 27, 1980, at 2:00 p.m., for furnishing one backhoe trailer.
(Memorandum with agenda. Resolution rejecting bids, and approving new specifications and authorize call for bids needed. Estimated Cost: \$6,600. Funds are budgeted.)

ACTION: Res. 80-408 adopted rejecting all bids, and calling for new bids. (Finance to handle)

CONSENT

15. Consider acceptance of Lee White Paving Company's contract for improvements on El Pasado Drive at park site - Block 2450 as complete. Original contract: \$27,869.75.
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$28,759.75. Funds are budgeted.)

ACTION: Res. 80-409 adopted accepting project as complete.

(Clerk to handle)

CONSENT

16. Consider acceptance of Industrial Electrical's contract for ballpark lighting replacement at Davis Park as complete. (Original contract and final cost: \$22,931).
(All work on this project has been completed to the satisfaction of the Public Works and Park and Recreation Departments. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-410 adopted accepting project as complete.

(Clerk to handle)

CONSENT

17. Consider acceptance of D.C. Vient, Inc's contract for interior painting of the Modesto Police Building as complete. (Original contract: \$8,365).
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$11,725.60. Funds are budgeted.)

ACTION: Res. 80-411 adopted accepting project as complete.

(Clerk to handle)

CONSENT

18. Consider acceptance of W. Gale Fisher, Inc.'s contract for installation of wheel chair ramps at various City parks as complete. (Original contract: \$15,485). (All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$16,910. Funds are budgeted.)

ACTION: Res. 80-412 adopted accepting work as complete, (Clerk to handle)

CONSENT

19. Consider acceptance of W. Gale Fisher, Inc.'s contract for construction of waterline extensions in Woodland Avenue, Marsala Way and Honeycreek Road. (Original contract: \$32,062). (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: Contract \$33,015.48 (Main \$31,965.48; Services \$1,050). Funds are budgeted.)

ACTION: Res. 80-413 adopted accepting work as complete, (Clerk to handle)

CONSENT

20. Consider authorizing the purchase of one 8 inch compound water meter from Hersey Products, Inc. for the total purchase price of \$5,750.50. (Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-414 adopted authorizing purchase, (Finance to handle)

CONSENT

21. Declare all bids on traffic line paint opened on April 29, 1980, to be unacceptable and authorize the call for new bids to be opened on May 27, 1980, at 2:25 p.m. (As authorized by Resolution 80-316, bids for annual requirements for traffic line paint were opened at 2:10 p.m. on April 29, 1980. Three bids were received. All bidders failed to provide a proper statement of warranty as required in Section 1.11 of Specifications D-80. Staff recommends that all bids be declared unacceptable and a new call for bids be authorized. Resolution declaring bids for traffic line paint to be unacceptable and authorizing the call for new bids needed. Estimated Cost: \$36,000. Funds will be budgeted in 1980-81 budget.)

ACTION: Res. 80-415 adopted rejecting bids and calling for new bids. (Finance to handle)

HEARINGS

22. Continued hearing on appeal by Edward T. Taylor, Jr. to a decision of the Board of Appeals concerning electrical repairs on the building at 1016 -12th Street. No. 1
(Continued from the April 1, 1980 Council meeting.)

ACTION: By motion (Elliott/Bright, unan.) hearing continued to May 20, 1980, 4:00 p.m., to allow staff an opportunity to meet again with Mr. Taylor. (P.T. to handle)

23. Hearing to amend the Conflict of Interest Code of the Public Works Department, deleting the title of Plan Review Engineer II on the list of designated employees. No. 2

ACTION: Res. 80-416 adopted (Elliott/Siefkin, unan.) amending Code. (Clerk to handle)

24. Hearing on appeal by Greek Orthodox Church to a decision of the Board of Zoning Adjustment concerning their request for their social hall expansion on the north side of Tokay Avenue, east of Codding Drive. No. 3

ACTION: Res. 80-417 adopted (Muratore/Elliott, unan.) granting appeal with condition concerning street light being modified. (Clerk to handle)

25. Continued hearing on appeal by Dwight & Carol Wimberly to a Board of Zoning Adjustment decision regarding a variance in connection with a patio cover. (Continued from April 15, 1980, Council meeting.) No. 4

ACTION: By motion (Bright/Muratore, unan.) hearing continued to May 20, 1980, 4:00 p.m. (Clerk to handle)

26. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

ACTION: Larry Massey spoke about the massage ordinance. By order of the Chair, staff requested to report to Council on questions raised by Mr. Massey. (Atty. to handle)

ORDINANCES

CONSENT

27. Final adoption of the following:

- a. Ord. No. 1940-C.S. rezoning to P-PD(263), property located on Morse Road and Blue Gum, to allow a zero lot line residential development (Rule Enterprises).
- b. Ord. No. 1941-C.S. rezoning from R-3 to P-D(261) property located on Claus and Orangeburg, to allow a condominium residential development (Modesto Development).
- c. Ord. No. 1942-C.S. rezoning from R-1 and R-3 to P-D(264) property on Brighton Avenue and Wylie Drive, to allow conversion of an existing apartment complex to a condominium (L & W Enterprises).
- d. Ord. No. 1943-C.S. amending the Modesto Municipal Code relating to towing services.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

NEW BUSINESS

28. Consider changing evening and weekend transit service.
(Memo with agenda. The City-County Transportation Committee has recommended reducing the fixed-route bus system's evening hours of operation, opening the Dial-A-Ride system to the general public during the evening hours and reducing Dial-A-Ride's weekend hours of service. The service change would not be made until July, 1980.
(Motion indicating tentative approval of the Committee's recommendations needed.)

ACTION: By motion (Muratore/Siefkin, unan.) accepted recommendations of City-County Transportation Committee.
(P.T. to handle)

CONSENT

29. Consider approving an airport concession agreement with United Courier, Inc. (United Courier, Inc. has a courier service. This agreement is for a monthly fee of \$25 and a parking space fee of \$25 per month. This agreement is consistent with similar agreements at the airport. Resolution approving agreement needed.)

ACTION: Res. 80-418 adopted approving agreement.

(P.W. to handle)

CONSENT

30. Consider approving a new one-year airport concession agreement with Valley Freight, a general partnership made up of Gordon Keats, Bill Parks and Cliff Pierce. (Valley Freight has been operating a freight delivery service from the airport under a month-to-month agreement. This is a one-year lease and includes rental and three parking spaces. This is consistent with other airport concession agreements. The month-to-month agreement was for \$100 per month. The lease is for \$270 per month. Resolution approving agreement needed.)

ACTION: Res. 80-419 adopted approving agreement.

(P.W. to handle)

CONSENT

31. Consider agreement for architectural services - Interim Bus Terminal.
(Memo with agenda. Engineer Gordon Hart has been proceeding on design work, but a new agreement is needed since project has been changed from a remodeling to new construction. Resolution approving agreement needed. Estimated cost: \$68,900. Appropriation transfer to be made after bids are received and an award is to be made.)

ACTION: Res. 80-420 adopted approving agreement, (P.T. to handle)

32. Consider agreement with Post No.74, The American Legion, a corporation, for the purchase of the land and buildings located at 1001 S. Santa Cruz, and known as the American Legion Building. Property is needed for the Tuolumne River Regional Park.
(Memo from Chairman, Regional Park Committee with agenda. Resolution approving purchase agreement and resolution approving lease agreement needed. Estimated cost: \$150,000 plus \$2,500 est. escrow; \$152,500, Total; funds are budgeted.)

ACTION: Res. 80-421 adopted (Bright/Elliott, unan.) approving purchase agreement.
Res. 80-422 adopted (same vote) approving lease agreement. (P.W. to handle)

CONSENT

33. Consider agreement with Bernie J. Walker and Mary F. Walker for the purchase of their lot needed for Tuolumne River Regional Park.
(Memo from Chairman of Regional Park Committee with agenda. The Walkers have agreed to sell the required lot for the appraised value of \$11,500. The lot is located on the south bank of the Tuolumne River, just east of Hatch Road, and is the 16th lot purchased in this area of the park. The agreement has already been approved by the County of Stanislaus and the City of Ceres. Resolution approving agreement needed. Estimated Cost: \$11,500 plus \$750 est. escrow; \$12,250, Total; funds are budgeted.)

ACTION: Res. 80-423 adopted approving agreement. (P.W. to handle)

CONSENT

34. Consider approval of the annual recreation agreement between the County of Stanislaus and the City of Modesto.
(This agreement is similar to agreements entered into between the County and the City in previous years. The agreement provides that the County will allocate and transfer to the City \$47,377.66 for expenditures by the City on community recreation for the fiscal year 1979-80. (This is an increase of \$6,738.83 from last year's allocation.) Resolution authorizing agreement needed.)

ACTION: Res. 80-424 adopted authorizing agreement. (Finance to handle)

CONSENT

35. Consider application for encroachment permit to allow an existing house to encroach 1 foot into the proposed right of way of Morse Road.
(Memo with agenda. Resolution granting encroachment permit needed.)

ACTION: Res. 80-425 adopted granting encroachment permit. (P.W. to handle)

CONSENT

36. Consider abandonment of a 5-foot Public Utility Easement in Lots 4 and 23 in Block 1733, Orangeburg Plaza subdivision, City of Modesto.
(Memo with agenda. Resolution vacating and abandoning 5-foot Public Utility Easement in Lots 4 and 23, Block 1733, Orangeburg Plaza needed.)

ACTION: Res. 80-426 adopted vacating and abandoning. (P.W. to handle)

CONSENT

37. Consider abandonment of a portion of a 10-foot Public Utility Easement in Block 1204 of the City of Modesto.
(Memo with agenda. Resolution vacating and abandoning a portion of a 10-foot Public Utility Easement in Block 1204 needed.)

ACTION: Res. 80-427 adopted vacating and abandoning. (P.W. to handle)

CONSENT

38. Consider acceptance of improvements in Sunrise No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdivider: Security Pacific National Bank)
(Sunrise No. 2 subdivision is located between East Orangeburg Avenue and Norwegian Avenue and west of Sunrise Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-428 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

39. Consider acceptance of improvements in Tahitian Plaza subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdivider: Hasco Development Company)
(Tahitian Plaza subdivision is located east of Tully Road and north of Standiford Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-429 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

40. Consider adoption of a resolution incorporating applicable property tax allocation provisions of agreement dated February 26, 1980, to four City of Modesto annexations and governmental reorganizations. (Brighton No. 1, Roselawn-Rouse, Scenic Bend No. 2, and Carpenter Road No. 2)
(State law requires such agreement to provide for the distribution of property tax applicable to each annexation. Resolution incorporating provisions of agreement with Stanislaus County needed.)

ACTION: Res.80-430 adopted incorporating provisions of agreement. (Clerk to handle)

CONSENT

41. Consider Brighton No. 1 Governmental Reorganization to the City of Modesto. (On April 16, 1980, LAFCO approved the Brighton No. 1 Governmental Reorganization to the City of Modesto. The governmental reorganization would include annexation to the City, detachment from the McHenry Dry-Creek Fire District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. Resolution ordering the Brighton No. 1 Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 80-431 adopted ordering the Brighton No. 1 Governmental Reorganization to the City of Modesto. (Clerk/Planning to handle)

CONSENT

42. Consider adoption of resolution of application for annexation of the Blue Gum-Rosemore Annexation.
(This island annexation was denied by LAFCO on August 15, 1979, because of alleged sewer odor problems. LAFCO has now waived the one-year waiting period for resubmission of this annexation. It is recommended that the Council adopt a resolution of application reinitiating the annexation proceedings. Memo with agenda. Resolution of application initiating annexation proceedings needed.)

ACTION: Res. 80-432 adopted reinitiating annexation proceedings. (Planning to handle)

CONSENT

43. Consider authorizing free bus rides for Senior Citizens on Senior May Day, May 24, 1980.
(Memo with agenda. The Commission on Aging has requested these free bus rides to help promote Senior May Day. Motion authorizing free bus rides for Senior Citizens on May 24, 1980 needed.)

ACTION: By motion, request for free bus rides for senior citizens on May 24, approved. (P.T. to handle)

CONSENT

44. Consider amending Resolution No. 75-866, entitled "A Resolution Establishing Terms Of Office And Procedures For The Citizens Housing And Community Development Committee And Subcommittes," creating Seat No. 10 of the Citizens Housing and Community Development Committee, and consider appointing Chairperson, Neighborhood Advisory Committee No. 3 to Seat No. 10.
(Memo with agenda. Two resolutions needed.)

ACTION: Res. 80-433 adopted amending Res. 75-866.

Res. 80-434 adopted appointing Wanda Melson to Seat 10 of the Citizens Housing and Community Development Committee, term to expire 6/30/83.
(Clerk/Planning to handle)

CONSENT

45. Consider adoption of policy for renting T-hangars and tie-down operations at Modesto City-County Airport-Harry Sham Field.
(We are requesting the establishment of a specific policy/guideline in the handling and assigning of T-hangars and tie-down spaces at the airport. We have reached the point where policies and procedures need to be formalized. The staff and the Airport Advisory Committee have completed the preparation and review of such a policy and are recommending adoption by the City Council. Memo with agenda. Resolution adopting policy of handling and assigning T-hangars and tie-down spaces at Modesto City-County Airport/Harry Sham Field needed.)

ACTION: Res. 80-435 adopting policy for handling and assigning T-hangars and tie-down spaces at airport.
(P.W. to handle)

CONSENT

46. Request by King-Kennedy Board of Directors to hold June Teen Day Festival on Saturday, June 21, 1980, in Mellis Park,
(Memo with agenda. Resolution approving recommendations needed.)

ACTION: Res. 80-436 adopted approving recommendations, (P.R. to handle)

CONSENT

47. Consider accepting offer for the purchase of two City-owned structures, located at 900 S. Conejo and 629 Second Street, from Turlock House Movers.
(A quonset hut at the airport and a garage at Fire Station No. 2 were advertised for a sealed bid sale and no bids were received. Turlock House Movers has offered \$1.00 each for the structures, will move them within 2 months and clean up the sites. This offer would save the City demolition costs. Resolution approving sale of structures needed.)

ACTION: Res. 80-437 adopted approving sale of structures. (P.W. to handle)

CONSENT

48. Consider setting public hearing on June 24, 1980 for Section 504 Transition Plan. (Memo with agenda. New federal handicapped accessibility laws require that 50% of the City's bus fleet be wheelchair lift equipped by July 1, 1989. The 504 Transition Plan identifies the methods to be used to satisfy these requirements. Resolution setting public hearing June 24, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-438 adopted setting hearing.

(P.T. to handle)

49. Presentation of 1980-81 Preliminary Budget. (Budgets will be distributed at the meeting. Resolution setting public hearing for June 10, 1980, 7:30 p.m. (Hearing No. 1) needed.)

ACTION: Res. 80-439 adopted (Elliott/Muratore, unan.) setting hearing, (Clerk/Finance to handle)

CONSENT

50. Application by Willie Forrest, Jr., and Eva Joy Harris for a license to collect salvageable waste in the City of Modesto. (Mr. Forrest has submitted an application to the City Clerk's Office. According to the provisions of the Modesto Municipal Code, a public hearing is required. Resolution setting hearing on Tuesday, May 20, 1980, 7:30 p.m. needed.)

DROPPED FROM AGENDA

CONSENT

51. Report of Superintendent of Streets on the cost of installation of curbs and/or sidewalks at the following locations:
- a. Sidewalk at 928 Hackberry Avenue, a portion of Block 719. (Michael P. Abernathy - \$360.00)
 - b. Sidewalk along Sunrise Avenue at 1212 Sunrise Avenue, Lot 8 of Block 1122 (Baugh and Enberg - \$685.00)
 - c. Curb along Leon Avenue at 402 Leon Avenue, Lots 47 and 48 of Block 354. (Bengtson and Hampton - \$360.00)
 - d. Curb and sidewalk along W. Morris Avenue at 445 Sycamore Avenue, Lots 1 and 2 of Block 537. (Hubert M. Brockett - \$1,260.00)
 - e. Curb and sidewalk at 2035 W. Rumble Road, a portion of Block 13317. (Billie O. Freese - \$4,249.00)
 - f. Curb along 4th Street at 404 "J" Street, a portion of Block 17. (Horace Kennedy - \$610.00)

CONSENT

51. (Continued)

- g. Curb along E. Orangeburg Avenue at 608 E. Orangeburg Avenue, a portion of Block 1139. (Randy S. Krum - \$960.00)
- h. Curb at 910 4th Street, Lot 21 of Block 17. (Gary Leong - \$228.00)
- i. Curb along Wright Street at 302 Orange Avenue, a portion of Block 513. (Donald Montez - \$550.00)
- j. Curb and sidewalk at 1944 Evergreen Avenue, a portion of Block 6272. (Perry Nichols - \$2,264.00)
- k. Curb at 438 Leon Avenue, Lots 29 and 30 of Block 354. (Harold A. Parker - \$460.00)
- l. Curb at 810 Sierra Drive, a portion of Block 327. (Shirley Prescott - \$637.00)
- m. Curb along Rue De Yoe and Newgate Street at 229 Rue De Yoe, Lots 31 and 32 of Block 201. (Teresa Prudot - \$2,634.00)

(Resolution setting public hearing May 20, 1980, 4:00 p.m. needed.)

ACTION: Res. 80-440 adopted setting hearing.

(Clerk to handle)

CONSENT

52. Requirement for construction curbs and/or sidewalks at the following locations:

- a. Curb along Trask Lane at 2336 Miller Avenue, Lot 1 of Block 2266. (Nellie L. Guinn)
- b. Curb and full sidewalk along Trask Lane at 104-12 Trask Lane, a portion of block 2401. (Raymon L. Maderos)
- c. Curb and full sidewalk along Trask Lane at 2301 Yosemite Blvd. (Norman Quigley)
- d. Curb along Trask Lane at 2337 Dora Street, Lot 20 of Block 2268. (Russell Strzala)
- e. Sidewalk along Trask Lane at 111 Trask Lane, Lot 1 of Block 2265. (T.G. Trotter)

(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting public hearing May 27, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-441 adopted setting hearing.

(Clerk to handle)

CONSENT

53. Recommend to the Council an amendment to Section 10-3-9 of the Zoning Map - Beiser-Feder Real Estate.
(On April 21, 1980, the Planning Commission adopted Resolution 80-99 recommending to the City Council an amendment to Section 10-3-9 of the Zoning Map to rezone from a portion of P-D(150) to R-3, property located at the southwest corner of Oakdale Road and Bridgewood Way. Resolution setting public hearing May 27, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-442 adopted setting hearing. (Clerk to handle)

CONSENT

54. Recommend to Council an amendment to Section 27-3-9 of the Zoning Map - Michael and Joan Hardin, Jonny and Zeda Toler, James and Norma Hays.
(On April 21, 1980, the Planning Commission adopted Resolution 80-98 recommending to the Council an amendment to Section 27-3-9 of the Zoning Map to rezone from R-2 to P-D(266), property located on the east side of Coffee Road, south of Lucern to allow construction of a 145-unit elderly high rise housing project. Resolution setting public hearing May 27, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-443 adopted setting hearing. (Clerk to handle)

CONSENT

55. Recommend to the Council an amendment to Section 15-3-9 of the Zoning Map - U. S. By-Products.
(On April 21, 1980, the Planning Commission adopted Resolution 80-102 recommending to the City Council an amendment to Section 15-3-9 of the Zoning Map to rezone from R-2, P-D(153), and a portion of P-D(211) to P-D(265), property located on the north side of Floyd Avenue, east of Pridmore Avenue to allow duplexes. Resolution setting public hearing May 27, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-444 adopted setting hearing. (Clerk to handle)

CONSENT

57. Consider approval of grant application for funding of engineering services involved with the preparation of plans and specifications for improvements at the wastewater treatment facilities.
(Project Report, EIR, and EIS for wastewater treatment facilities improvements have been completed and concept approval for the improvement project has been received from the State. It is now appropriate to make application for a Step 2 Grant (preparation of plans and specifications) for the work involved. Total estimated cost of engineering on the project is \$1,108,000 (\$921,000 grant funds; \$187,000 local funds; funds are budgeted.)Resolution needed.

ACTION: Res. 80-445 adopted approving grant application. (P.W. to handle)

REPORTS

58. Report on Planning Commission recommendation on closure of Veneman Avenue. Memo with agenda. Motion acknowledging receipt of staff report and deferring action until 1981 needed.)

ACTION: By motion (Elliott/Kullijian, unan.) receipt of report acknowledged and staff directed to report to Council upon the completion of each of the involved uncompleted streets. (Planning to handle)

CONSENT

59. Consider report from Council Airport Committee. (The Council Airport Committee has prepared a report, including conclusions and recommendations for consideration by the full Council. Memo with agenda. Motion acknowledging receipt of report needed, and resolution setting hearing June 10, 1980, 7:30 p.m. needed.)

ACTION: By motion, receipt of report acknowledged. Res. 80-446 adopted setting hearing. (Clerk to handle)

Councilmember Lang left the meeting at 7:25 p.m.

60. Report on trees destroyed by Robin Katen. (Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Siefkin/Bright, majority, Mayor-no, Lang absent) staff recommendation, based on the official guide, approved. (P.R. to handle)

61. Request of 4th of July Committee regarding 1980 celebration. (Memo detailing committee requests and staff recommendations with agenda. Resolution approving recommendations needed. Estimated cost: \$4,500; funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

62. Quarterly report by the Modesto Chamber of Commerce. (Motion accepting report needed.)

ACTION: By motion, receipt of report acknowledged.

APPROPRIATION TRANSFERS

CONSENT

63. Appropriation transfer of \$4,741 to cover increased costs of capital projects at the airport. (Additional funds are required to cover change orders required to successfully complete the security fence relocation, aircraft parking ramp drain, and the crash fire rescue facility. Resolution approving appropriation transfer from General Reserve, Airport Fund, needed.)

ACTION: Res. 80-447 adopted approving appropriation transfer. (Finance to handle)

CONSENT

64. Consider an appropriation transfer of \$65,000 from the Reserve of the Service Division to the Damage Repair; Equipment Parts; and Fuel, Oil and Lubricants accounts.
(The increase in costs of items covered by the above accounts is higher than anticipated in the 1979-80 budget. Additional funds are needed for the balance of the fiscal year. Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 80-448 adopted approving appropriation transfer. (Finance to handle)

MISCELLANEOUS

65. Legislation

- ACTION: By motion (Kullijian/Bright, unan., Lang absent) AB 3275 supported.
By motion (Elliott/Bright, unan., Lang absent) SB 1842 opposed.
By motion (Elliott/Kullijian, majority, Muratore-no, Lang absent) SB 2026 opposed.

66. Appointments

- ACTION: Res. 80-449 adopted (Elliott/Siefkin, unan., Lang absent) Henry Martin appointed to the Board of Zoning Adjustment, term expiring 1/1/84. (Clerk to handle)

67. Matters too late for the agenda

- a. Report on foundation for Eleventh Street parking garage and request for change order on foundation.

ACTION: By motion (Kullijian/Elliott, unan., Lang absent) change order approved, providing for spread footings instead of drilled caissons. (P.T. to handle)

Councilmember Elliott discussed his concerns about approving a request to sell beer in a City park on June Teen Day and interruptions by people in the audience when Councilmembers are speaking.

Adjourned at 7:50 p.m.

ATTEST: Norrine Coyiz
NORRINE COYIZ, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 13,

1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Muratore,
Acting Mayor Siefkin

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Jerry Morris, Grace Life Center

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 5, 6, 7, 8, 9, 10, 17,
18, 19, 20, 21, 22, 23, 25

Dropped from Agenda: 4

ACTION: (Elliott/Kullijian, unan., Lang and Mayor Mensinger absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the May 6, 1980, City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

CONSENT

2. Letter from Downtown Improvement District requesting permission to hold a downtown sidewalk sale Wednesday, May 14, 1980, in addition to the days previously approved.
(Motion approving needed.)

ACTION: By motion, request approved.

(Planning to handle)

BIDS

CONSENT

3. Consider approving specifications and authorize call for bids to be opened June 3, 1980, at 2:15 p.m., for furnishing sewer monitoring station system. (Requested by Public Works, the monitoring equipment will be installed at a monitoring station that will be built at 9th and Hosmer. Memo with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$7,400 to be paid by City of Ceres. Funds are budgeted.)

ACTION: Res. 80-450 adopted calling for bids. (P.W. to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for Muncy Park landscaping and irrigation. (This project is Phase 2 of the Muncy Park development. The suggested bid opening is June 3, 1980 at 11:05 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$63,470 (Contract \$61,206; Eng. \$2,264). Funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

5. Consider approving specifications and authorize call for bids to be opened June 3, 1980, at 2:00 p.m., for furnishing annual lamp requirements. (An annual event, the lamp bid is a cooperative purchasing venture with Stanislaus County, Modesto City Schools, Modesto Junior College, and the City of Oakdale. The lamps are purchased intermittently throughout the year by Central Stores and sold to using departments. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$13,000 - City portion. Funds are budgeted.)

ACTION: Res. 80-451 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of Standiford Avenue from Tully Road to McHenry Avenue. (The Federal Government (FHWA) and Caltrans have approved the plans and specifications and authorized us to advertise for bids as of April 16, 1980. It is a Federal Aid Urban project. Memo with agenda. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$652,242.50. Funds are budgeted. Recommended bid opening is June 10, 1980, at 11:00 a.m.)

ACTION: Res. 80-452 adopted calling for bids. (P.W. to handle)

CONSENT

7. Consider award of contract to reroof lower roof section, Fire Station No. 5. (Bids were opened May 6, 1980. The low bid of \$8,650 submitted by Stanislaus Roofing, Inc., is 6.9% below the engineers' estimate and is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to Stanislaus Roofing, Inc. needed. Estimated Cost: \$11,850 (Contract \$8,650; Eng. \$3,200). Funds are budgeted.)

ACTION: Res. 80-453 adopted awarding contract. (P.W. to handle)

CONSENT

8. Consider waiving formal bid procedures by five affirmative votes and authorize the purchase of pump rebuilding services from Stanislaus Pump for the total price of \$13,593.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-454 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

9. Consider acceptance of the contract of Joe Martin Pipeline, Inc. for construction of waterlines in Lamatis Industrial Center. (Original contract: \$100,785)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$101,989.23 Contract (\$81,649.23 Main; \$20,340 Services); funds are budgeted.)

ACTION: Res. 80-455 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of the contract of Lee White Paving Company to resurface City Streets 1979-80 Phase I as complete. (Original contract: \$247,994)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$222,228.86; funds are budgeted.)

ACTION: Res. 80-456 adopted accepting as complete. (Clerk to handle)

HEARINGS

11. Hearing on amendment to P-D(218), to increase the number of No. 1
condominiums from 271 to 277, property located on the north
side of Scenic Drive, west of Claus Road. (Modesto Development
Company)

ACTION: By motion (Elliott/Kullijian, unan., Lang and Mayor Mensinger absent)
Ord. No. 1944-C.S. introduced.

Res. 80-457 adopted (same vote) amending P-D(218). (Clerk to handle)

12. Hearing on amendment to Section 17-3-9 of the Zoning Map to No. 2
rezone from R-1 to R-2, and denying requested P-0 zoning,
property located at the northeast corner of Tully Road and
Bowen Avenue. (William Witzke)

ACTION: A motion and second to rezone property facing Monte Vista to R-1 and property
facing Tully to R-2 was withdrawn.

By motion (Kullijian/Bright, unan., Lang and Mayor Mensinger absent) hearing
continued to May 27, 1980, 7:30 p.m. (Clerk to handle)

13. Hearing on appeal by William S. Witzke to a Planning Commission decision regarding rezoning R-1 to P-0, on property located on the northeast corner of Tully and Bowen. No. 3

ACTION: Res. 80-458 adopted (Kullijian/Bright, unan., Lang and Mayor Mensinger absent) upholding denial by Planning Commission.

14. Hearing on amendment to P-D(201) to allow a 20-unit condominium conversion, property located on the south side of Floyd Avenue, west of Jasmin. (Modesto Development Company) No. 4

ACTION: By motion (Kullijian/Elliott, unan., Lang and Mayor Mensinger absent) Ord. 1945-C.S. introduced.

Res. 80-459 adopted (same vote) amending P-D(201) (Clerk to handle)

15. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

Ross Penner presented a newspaper article concerning noise pollution.

NEW BUSINESS

16. Consider amending Section 5-6.06, Subtrunk Sewer Extension Charges, of the Municipal Code to increase subtrunk charge from \$150 per acre to \$500 per acre. (Subtrunk sewer charge was set in 1967. There have been no adjustments over the years even though construction costs have continued to increase. An adjustment at this time is necessary so that charges more closely cover construction costs. Introduction of ordinance needed. Continued from the April 15, 1980, Council meeting.)

ACTION: By motion (Elliott/Kullijian, unan., Lang and Mayor Mensinger absent) this item continued to May 27, 1980, 7:30 p.m. (Clerk to handle)

CONSENT

17. Recommend to Council amendments and additions to the Zoning Regulations - Omnibus #6. (On April 21, 1980, the Planning Commission adopted Resolution No. 80-103 recommending to the Council certain amendments and additions to the Zoning Regulations of the Modesto Municipal Code (Omnibus No. 6). Resolution setting public hearing June 10, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-460 adopted setting hearing. (Clerk to handle)

5/13/80

CONSENT

18. Consider approving a lease agreement with Rilen Cathey for lease of an apartment unit (former McCumber property) located on the old Lincoln School Site, (Lease begins May 18, 1980 and continues as a month-to-month tenancy. Rent is \$175 per month. Lessee has been a tenant in another City-owned house (DeI Webb Soccer Field project) and has proven to be a very good tenant. Resolution approving lease agreement needed.)

ACTION: Res. 80-461 adopted approving agreement.

(P.W. to handle)

CONSENT

19. Consider cancellation of lease agreement with Custom Exec Air, Inc., which authorizes them to conduct an air-taxi operation at the Modesto City-County Airport. (Custom Exec Air, Inc., has submitted a written request to cancel their lease with the City per our existing agreement. It is recommended that City Council cancel their agreement effective May 1, 1980. Memo with agenda. Resolution canceling agreement needed.)

ACTION: Res. 80-462 adopted canceling agreement.

(P.W. to handle)

CONSENT

20. Consider approving service agreement with the State of California Department of Transportation for performance of services in conjunction with F.A.U. Project No. 201(3), Standiford Avenue between Tully Road and McHenry Avenue, authorizing City Manager to sign on behalf of City, and authorizing payment of \$6,500 deposit. (Service agreement with State for \$6,500 is required for performance of Labor Compliance and EEO services, hot plant inspection and testing, and commercial testing. Memo with agenda. Resolution approving agreement and authorizing payment of deposit. Funds are budgeted.)

ACTION: Res. 80-463 adopted approving agreement.

(P.W. to handle)

CONSENT

21. Consider approving a bus rider promotion campaign for the purpose of obtaining a \$35,000 State grant. (Memo with agenda. Caltrans is recommending that the City's bus rider promotion campaign be considered for one-time funding under SB 620 - Transportation Development Act. No City matching funds are required. Motion approving bus rider promotion campaign needed.)

ACTION: By motion, promotion campaign approved.

(P.T. to handle)

CONSENT

22. Consider setting public hearing on the filing of a federal transit operating grant application for fiscal year 1980-81. (Memo with agenda. It is recommended that the public hearing for the \$1,013,660 grant application be held on June 17, 1980 at 4:00 p.m. Resolution setting the public hearing needed. Total project cost: \$2,254,321; funds are budgeted.)

ACTION: Res. 80-464 adopted setting hearing.

(Clerk to handle)

CONSENT

23. Consider canceling agreement with Roosevelt Center, Inc., authorizing release of \$7,000 bond, approving agreement with Payless Drug Stores, authorizing City Manager to sign on behalf of City, and approving the recording of quitclaim deed, all in conjunction with improvements required in alley behind McHenry Payless Drug Store. (Construction of improvements required by original agreement is no longer feasible. It would, therefore, be in order to approve new agreement with Payless Drug Stores. Memo with agenda. Resolution canceling Roosevelt Center agreement, authorizing release of bond, approving Payless Drug Stores agreement, authorizing City Manager to execute, and approving the recording of quitclaim deed needed.)

ACTION: Res. 80-465 adopted approving cancellation of agreement with Roosevelt Center, authorizing release of bond, and recording quitclaim deed.

Res. 80-466 adopted approving agreement between City and Payless Drug Stores.
(P.W./Clerk to handle)

REPORTS

24. Request of 4th of July Committee regarding 1980 celebration.
(Memo detailing committee requests and staff recommendations with agenda. Resolution approving recommendations needed. Estimated cost: \$4,500; funds are budgeted.)

ACTION: Res. 80-467 adopted (Kullijian/Muratore, unan., Lang and Mayor Mensinger absent) approving proposed 4th of July activities excluding the street dance.
Discussion of the proposed street dance continued to May 27, 1980.

(Clerk to handle)

CONSENT

25. Presentation of Financial Statement for April, 1980.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

26. Report on shopping center identification signs.
(Memo with agenda. Staff recommends amendment to the sign provisions of the Zoning Regulations. Motion directing staff needed.)

ACTION: By motion (Kullijian/Bright, unan., Lang and Mayor Mensinger absent) this item referred to Planning Commission, (Planning to handle)

27. Consider revised wall and fence standards.
(On april 21, 1980, the Planning Commission adopted revised wall and fence standards. Memo with agenda. Motion acknowledging receipt of report and/or motion directing staff needed.)

ACTION: Res. 80-468 adopted (Kullijian/Bright, unan., Lang and Mayor Mensinger absent) setting informal hearing on June 3, 1980, 4:00 p.m. (Clerk to handle)

MISCELLANEOUS

28. Legislation

None

29. Appointments

None

30. Matters too late for the agenda

None

Adjourned at 9:00 p.m.

ATTEST:



NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin,
Mayor Mensinger
(Councilmember Siefkin left the meeting at 4:20 p.m.)

Absent: Councilmembers: Bright

The following budgets were reviewed:

City Council

City Manager

Management Services:

Administration and Governmental Relations

Citizens Information Service

Personnel

Word Processing Center

Microfilm and Records Center

Office Services

C.E.T.A. Fund Title II

C.E.T.A. Fund Title VI

Self Insurance Fund

Risk Management

City Attorney

City Clerk & Auditor

Finance

Insurance and Employee Benefits

Miscellaneous Unclassified - Information requested on election costs.

Bond Redemption and Interest Requirements

Central Stores

Parks and Recreation:

Administration

McHenry Museum of Art & History

McHenry Mansion

King-Kennedy Memorial Center

Recreation - Council requested information regarding the
difference in the amount for utilities.

Maddux Youth Center

Modesto Community Service Center

Parks

Street Trees

9-Hole Golf Course

Dryden Park Municipal Golf Course

Modesto Senior Citizens Center

Tuolumne River Regional Park

The meeting was adjourned at 4:55 p.m. to 3:00 p.m., Wednesday, May 21, 1980, in the Council Chambers.

ATTEST:


NORRINE COYLE City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 20,

1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Dennis Conrad, Bethel Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 14, 16,
17, 18, 20, 21, 22, 23

Dropped from agenda: 19

ACTION: (Lang/Muratore, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the May 13, 1980, Council meeting.
(Motion approving minutes needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

BIDS

2. Receive oral bids from bidders on two houses located on future Del Webb soccer field.
(Oral bids may be received from bidders who have submitted written bids for either of the two houses being offered for sale. Resolution awarding bids needed.)

ACTION: Res. 80-469 adopted (Kullijian/Elliott, unan,) awarding bid to George McWilliams for purchase of improvements at 511 S. Sunset Avenue,
Res. 80-470 adopted (Muratore/Bright, unan.) awarding bid to Turlock House Movers for purchase of improvements at 513 S. Sunset Avenue,

(Public Works to handle)

CONSENT

3. Consider approval of plans and specifications and call for bids for the construction of Palmwood Drive sewer extension.
(Suggested bid opening: June 3, 1980 at 11:00 a.m. The extension of this sewer main will provide Fire Station No. 7 with sewer service. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$10,490 (Contract \$9,536; Eng. \$954). Funds are budgeted.)

ACTION: Res. 80-471 adopted calling for bids. (P.W. to handle)

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened June 10, 1980, at 2:00 p.m., for furnishing annual dry cell batteries.
(An annual requirement, the bid is a cooperative venture with Stanislaus County, Yosemite Community College District, and Modesto City Schools. The batteries are purchased intermittently throughout the fiscal year by Central Stores and distributed to using departments. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$1,100 - City portion. Funds are budgeted.)

ACTION: Res. 80-472 adopted calling for bids. (Finance to handle)

CONSENT

5. Consider acceptance of Modesto Sand and Gravel's contract for clearing and grubbing of Police parking lot at 610 - 10th Street as complete. (Original contract - \$12,800.00)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion, Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$12,800. Funds are budgeted.)

ACTION: Res. 80-473 adopted accepting project as complete. (Clerk to handle)

CONSENT

6. Consider approval of purchase order to The Yard Lumber and Fence Supply for the removal and relocation of 380' of existing 6' chain link fence, 300' of 12" x 6" concrete mow strip, and miscellaneous repair of 1,331' of chain link fence at the entrance of the Modesto Wastewater Treatment Plant.
(Requests for proposals for the above mentioned work were sent to four contractors for fence repair and relocation, required before the entrance can be landscaped. Two bids were submitted. The low bid of \$4,445, submitted by The Yard Lumber and Fence Supply is considered acceptable. It is, therefore, recommended that a purchase order be issued to them. Resolution authorizing purchase order to The Yard Lumber and Fence Supply needed. Funds are budgeted.)

ACTION: Res. 80-474 adopted authorizing purchase. (Finance to handle)

CONSENT

7. Consider approval of purchase order to Lee White Paving for the clearing and earthwork at the entrance of the Modesto Wastewater Treatment Plant. (Requests for proposals for the clearing and earthwork required prior to the landscaping of the entrance to the Wastewater Treatment Plant were sent to 4 contractors. Three proposals were submitted. The low bid was submitted by Lee White Paving, and it is recommended that a purchase order be issued to him for \$4,150. Resolution authorizing purchase order to Lee White Paving Company needed. Funds are budgeted.)

ACTION: Res. 80-475 adopted authorizing purchase. (Finance to handle)

CONSENT

8. Consider waiving formal bid procedures by five (5) affirmative votes and authorize the purchase of one 8 inch compound water meter from Hersey Products, Inc. for the total purchase price of \$5,750.50. (Memorandum with agenda. Resolution waiving bid and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-476 adopted waiving bid and authorizing purchase. (Finance to handle)

CONSENT

9. Consider rejecting the sole bid submitted by the 3M Business Products Company, and approve specifications and authorize call for bids to be opened June 17, 1980, at 2:00 p.m., for furnishing one reader-printer and four readers. (Memorandum with agenda. Resolution rejecting sole bid and approving specifications and authorizing call for bids needed. Estimated Cost: \$25,000. Funds are budgeted.)

ACTION: Res. 80-477 adopted rejecting bids and authorizing new call for bids. (Finance to handle)

HEARINGS

10. Hearing on the cost of installation of curbs and/or sidewalks at the following locations: No. 1

- a. Sidewalk at 928 Hackberry Avenue, a portion of Block 719. (Michael P. Abernathy - \$360.00) (Staff recommends payment over 7 years at \$51.43 per year.)

ACTION: Res. 80-478 adopted (Kullijian/Muratore, unan.) confirming report, assessing costs, and directing method of collection over a period of 7 years. (Finance to handle)

- b. Sidewalk along Sunrise Avenue at 1212 Sunrise Avenue, Lot 8 of Block 1122 (Baugh and Enberg - \$685.00) (Staff recommends payment over 10 years, at \$68.50 per year.)

ACTION: Res. 80-479 adopted (Kullijian/Muratore, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

- c. Curb along Leon Avenue at 402 Leon Avenue, Lots 47 and 48 of Block 354, (Gregory L. and Cynthia M. Farris - \$360.00)

ACTION: Res. 80-480 adopted (Kullijian/Muratore, unan.) confirming report, assessing costs, and directing method of collection. (Finance to handle)

- d. Curb and sidewalk along W. Morris Avenue at 445 Sycamore Avenue, Lots 1 and 2 of Block 537. (Hubert M. Brockett - \$1,260.00)

ACTION: Res. 80-481 adopted (Kullijian/Muratore, unan.) confirming report, assessing costs, and directing method of collection. (Finance to handle)

- e. Curb and sidewalk at 2035 W. Rumble Road, a portion of Block 13317.
(Billie O. Freese - \$4,249.00)

ACTION: Res. 80-482 adopted (Kullijian/Muratore, unan.) confirming report, assessing costs,
and directing method of collection. (Finance to handle)

- f. Curb along 4th Street at 404 "J" Street, a portion of Block 17. (Horace
Kennedy - \$610.00)

ACTION: By motion (Muratore/Siefkin, unan.) this item continued to May 27, 1980,
7:30 p.m. (Clerk to handle)

- g. Curb along E. Orangeburg Avenue at 608 E. Orangeburg Avenue, a portion of
Block 1139. (Randy S. Krum - \$960.00) (Staff recommends payment over
10 years at \$96.00 per year.)

ACTION: Res. 80-483 adopted (Kullijian/Muratore, unan.) confirming report, assessing costs,
and directing method of collection over a period of 10 years. (Finance to handle)

- h. Curb at 910 4th Street, Lot 21 of Block 17; (Gary Leong - \$228.00)
PAID

- i. Curb along Wright Street at 302 Orange Avenue, a portion of Block 513.
(Donald Montez - \$550.00)

PAID

- j. Curb and sidewalk at 1944 Evergreen Avenue, a portion of Block 6272.
(Perry Nichols - \$2,264.00) (Staff recommends payment over 10 years,
at \$226.40 per year.)

ACTION: Res. 80-484 adopted (Kullijian/Muratore, unan.) confirming report, assessing costs,
and directing method of collection over a period of 10 years. (Finance to handle)

- k. Curb at 438 Leon Avenue, Lots 29 and 30 of Block 354 (Harold A. Parker -
\$460.00) (Staff recommends payment over 9 years, at \$51.11 per year.)

ACTION: Res. 80-485 adopted (Kullijian/Muratore, unan.) confirming report, assessing costs,
and directing method of collection over a period of 9 years. (Finance to handle)

- l. Curb at 810 Sierra Drive, a portion of Block 327. (Shirley Prescott -
\$637.00)

ACTION: Res. 80-486 adopted (Kullijian/Muratore, unan.) confirming report, assessing costs,
and directing method of collection. (Finance to handle)

- m. Curb along Rue De Yoe and Newgate Street at 229 Rue De Yoe, Lots 31 and 32
of Block 201. (Teresa Prudot - \$2,634.00) (Staff recommends payment over
10 years, at \$263.40 per year.)

ACTION: Res. 80-487 adopted (Kullijian/Muratore, unan.) confirming report, assessing costs,
and directing method of collection over a period of 10 years. (Finance to handle)

11. Continued hearing on appeal by Edward T. Taylor, Jr, to a decision of the Board of Appeals concerning electrical repairs on the building at 1016 - 12th Street. (Continued from the April 1, 1980 Council meeting and the May 6, 1980 Council meeting.) No. 2

ACTION: Res. 80-488 adopted (Lang/Kullijian, majority; Siefkin and Mayor Mensinger - no) granting the appeal. (P.W. to handle)

12. Continued hearing on appeal by Dwight & Carol Wimberly to a Board of Zoning Adjustment decision regarding a variance in connection with a patio cover. (Continued from April 15, 1980 Council meeting and the May 6, 1980 Council meeting.) No. 3

ACTION: By motion (Muratore/Siefkin, majority; Lang - no) hearing continued to June 3, 1980, 4:00 p.m., at the request of the attorney for Mr. & Mrs. Wimberly, with the expressed intention not to approve any further requests for continuance. (Clerk to handle)

13. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

14. Final adoption of Ord. No. 1944-C.S. increasing the number of condominiums from 271 to 277, property located on Scenic west of Claus. (Modesto Development Co.) (Motion adopting needed.)

ACTION: By motion, ordinance adopted. (Clerk to handle)

UNFINISHED BUSINESS

15. Further consideration of request by Mid-Valley Engineering, Inc. to use improvement district proceedings for construction of off-site improvements in the West Campus Business Park at Blue Gum and Carpenter. (Continued from the April 15, 1980, Council meeting.)

ACTION: By motion (Kullijian/Lang, unan.) a study of improvement district financing approved. (Manager to handle)

CONSENT

16. Consider approving agreement with Harold T. Jones and Anita E. Jones for the acquisition of 1,180 square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project. (The Jones have agreed to sell the required right of way for the appraised value of \$2,935. This is the 11th of 12 parcels required for this portion of the project. Resolution approving agreement needed, Funds are budgeted.)

ACTION: Res. 80-489 adopted approving agreement. (P.W. to handle)

CONSENT

17. Consider acceptance of dedication of Mercy Avenue. (Mercy Avenue is needed soon for part of the West Trunk Sewer extension. Memo with agenda. Resolution accepting dedication needed.)

ACTION: Res. 80-490 adopted accepting dedication. (P.W. to handle)

CONSENT

18. Consider Civil Aeronautics Board's Order 80-4-93 regarding essential air service for Modesto. (The staff, along with Modesto Chamber of Commerce Aviation Committee, provided the CAB with information and justification indicating that our essential air service needs include both the hubs of San Francisco and Los Angeles. CAB Order 80-4-93 has given Modesto only a single hub determination, which was San Francisco. It is recommended that the Council, by resolution, notify the CAB that the City of Modesto plans to appeal this Order dated April 11, 1980. Memo with agenda. Resolution notifying the CAB that City of Modesto plans to appeal Order 80-4-93 needed.)

ACTION: Res. 80-491 adopted notifying the CAB that City of Modesto plans to appeal. (P.W. to handle)

CONSENT

19. Hire Construction Inspector for 11th Street parking garage. (Memo with agenda. This project requires continuous on-site inspection. We propose to hire Ralph Shockley, by contract, to handle the inspection. The salary will be \$2,000/month for about 12 months. Resolution approving agreement needed. Estimated cost: \$24,000; funds are budgeted.)

DROPPED FROM AGENDA.

CONSENT

20. Consider acceptance of improvements in Yosemite Park No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdivider: Rule Enterprises) (Yosemite Park No. 1 subdivision is located north of Yosemite Boulevard and west of Lincoln Avenue and south of Japonica Way. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-492 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Consider approval of the final map of Timberlake subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (Subdividers: Timberlake Apartments) (The subdivision agreement has been signed and all fees paid. Timberlake is located between Tully Road and Colonial Drive, north of Standiford Avenue. It contains 14.197 acres and is a conversion of an apartment complex to condominiums. A cash deposit has been paid and a letter of agreement signed to make a required revision to the water system. Resolution approving final map needed.)

ACTION: Res. 80-493 adopted approving final map. (Clerk to handle)

CONSENT

22. Recommend to Council an amendment to Section 19-3-10 of the Zoning Map - Modesto Development. (On May 5, 1980, the Planning Commission adopted Resolution 80-111 recommending to the City Council an amendment to Section 19-3-10 of the Zoning Map to prezone to P-P-D(267) property located east of Claus Road, south of E. Orangeburg Avenue to allow a zero lot line patio house development. Resolution setting public hearing June 17, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-494 adopted setting hearing. (Clerk to handle)

CONSENT

23. Recommend to the Council an amendment to P-D(160) - Modesto Development. (On May 5, 1980, the Planning Commission adopted Resolution 80-115 recommending to the Council an amendment to P-D(160) for condominium conversion, property located on Randazzo Avenue, north of Evergreen Avenue. Resolution setting public hearing June 10, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-495 adopted setting hearing. (Clerk to handle)

24. Recommend an amendment to the Unclassified Use Permit for Doctors' Medical Center - conference facility.
(On May 5, 1980, the Planning Commission adopted Resolution 80-116 recommending to the City Council an amendment to the Unclassified Use Permit for Doctor's Medical Center for a conference building. Resolution setting hearing June 10, 1980, at 7:30 p.m. needed.)
Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 80-496 adopted (Kullijian/Elliott, unan., Mayor Mensinger absent) setting hearing. (Clerk to handle)

REPORTS

25. Report on proposed Senior Citizens Service Center.
(Report with agenda. Motion accepting report needed.)

ACTION: By motion (Bright/Siefkin, unan.) receipt of report acknowledged and the matter referred to the City-County Senior Center Committee. (Mgr. to handle)

MISCELLANEOUS

26. Legislation

None

27. Appointments


None

28. Matters too late for the agenda

None

ed at 5:20 p.m,
Adjourn/to executive session to consider an employee relations matter and did not return to open session.

ATTEST:


NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

Absent: Councilmembers: Kullijian, Siefkin
(Councilmember Lang left at 3:55 p.m.)

The following budgets were reviewed:

Parking and Traffic (General Fund)
Parking and Traffic (Parking)
Bus Service Division
Planning and Community Development
Downtown Improvement District
Housing and Community Development
Public Works:
 Engineering and Administration
 Administration
 Engineering
 Construction Administration
Building Inspection
Electrical
Streets
Garden Refuse and Street Sweeping
City Hall
Water
Sewerage Service
Bus Maintenance Division
Service Division

The meeting was adjourned at 4:40 p.m. to Wednesday, May 28, 1980, at 3:00 p.m., in the Council Chambers,

ATTEST: 
NORRINE COYLE, City Clerk

5/21/80

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 27,

1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott,
Siefkin, Mayor Mensinger

Lang, Muratore,

Absent: Councilmember Kullijian

Pledge of allegiance to the Flag

Invocation: Rev. Loyal Friesen, Center for Biblical Studies

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13,
14, 22, 26, 28, 29, 29A, 29B

ACTION: (Siefkin/Muratore, unan., Kullijian absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the May 19, 1980, Adjourned Regular City Council meeting, the May 20, 1980, Regular City Council meeting, and the May 21, 1980, Adjourned Regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

2. Request from Merle Mensinger, Jr., Chairman of the Downtown Improvement District Advisory Board, to amend the ordinance concerning parking in alleys to permit businesses to park their trucks in the alleys.
(Motion referring request to staff for recommendation needed.)

ACTION: By motion, request referred to staff for report. (P.T. to handle)

3. Letter from Ron Bowers, Central California Coalition of Car Clubs, requesting approval of a parade permit to hold Graffiti Night on June 14, 1980.

ACTION: Res. 80-497 adopted (Lang/Elliott, unan., Kullijian absent) approving as recommended by Chief of Police. (Police to handle)

4. Appeal by Doctors' Medical Center to a decision of the Planning Commission concerning location of a helipad, (Resolution setting hearing June 24, 1980, 7:30 p.m. needed.)

Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 80-498 adopted (Muratore/Lang, unan., Kullijian and Mayor Mensinger absent) (Clerk to handle)

CONSENT

5. Letter from Willodean Binna, President of the McHenry Museum Society, and Joan Hart, President of the McHenry Museum Guild, requesting funds for bookcases and file cabinets. (Motion referring to staff for recommendation needed.)

ACTION: By motion, request referred to staff for recommendation. (P.R./Finance to handle)

CONSENT

6. Letter from Robert R. Braden, Mid-Valley Engineering, regarding permitting a driveway off of Coffee Road, property located on the southwest corner of Briggsmore and Coffee. (Motion referring to staff for recommendation needed.)

ACTION: By motion, letter referred to staff for recommendation.

CONSENT

7. Letter from the Church of the Brethren requesting that the alley between 111 Rosedale Avenue and 916-918 Sierra Drive be abandoned. (Motion referring to the Planning Commission needed.)

ACTION: By motion, request referred to Planning Commission. (Planning to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for the construction of the general aviation area access road - FAA ADAP #8-06-0153-07. (Suggested bid opening: June 17, 1980 at 11:00 a.m. This project is being constructed as part of the 1979-80 Airport Improvement Program. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$116,688 (\$100,000 Contract; \$16,688 Eng.) An appropriation transfer will be requested after the bid opening when the exact amount needed to construct the project can be determined.)

ACTION: Res. 80-499 adopted calling for bids. (P.W. to handle)

CONSENT

9. Consider award of contract for the construction of waterline extension at Scenic and Claus.
(Bids were opened on May 20, 1980. The low bid of \$25,889.40, submitted by Mac's Backhoe Service is 17% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to him. Resolution awarding contract to Mac's Backhoe Service needed. Estimated Cost: \$25,889.40, Funds are budgeted.)

ACTION: Res. 80-500 adopted awarding contract. (P.W. to handle)

CONSENT

10. Consider award of contract for the construction of waterline extension at Lincoln and Yosemite Blve.
(Bids were opened on May 20, 1980. The low bid of \$24,305; submitted by Joe Martin Pipeline, Inc. is 8% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to him. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Estimated Cost: \$24,305, Funds are budgeted.)

ACTION: Res. 80-501 adopted awarding contract. (P.W. to handle)

CONSENT

11. Consider authorizing the purchase of soils engineering services from J.H. Kleinfelder and Associates for the total price of \$1,798.00,
(Requested by the Parking and Traffic Department, the purpose of the engineering service is to investigate the subsurface soil conditions at the parking garage site and provide recommendations to the City's design engineers. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-502 adopted authorizing purchase, (P.T. to handle)

CONSENT

12. Consider acceptance of The Yard Lumber and Fence Supply's contract for construction and relocation of general aviation area security fencing as complete, (Original contract: \$24,282.)
(All work on this project has been completed to the satisfaction of the Public Works Department, Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed, Final Cost: \$24,555, Funds are budgeted.)

ACTION: Res. 80-503 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider declaring Flintkote Cement Co. low bidder on Items 1, 2, 3, 4, 5, and 6 and consider declaring M. J. Ruddy & Son low bidder on Items 7 and 8 on Specification C-80 for rock, sand and gravel products.
(Memorandum with agenda. Two resolutions awarding bids needed. Estimated cost: \$28,000; funds will be budgeted in 1980-81.)

ACTION: Res. 80-504 adopted declaring Flintkote Cement Co. low bidder on items 1,2,3,4,5, and 6.

Res. 80-505 adopted declaring M.J. Ruddy & Son low bidder on items 7 and 8.
(Finance to handle)

CONSENT

14. Consider declaring Crystal Pool Service low bidder and authorize the purchase of chlorine tablets at \$.87 each, liquid chlorine at \$.86 gal., and muratic acid at \$1.08 gal.
(Memorandum with agenda. Resolution awarding bid to Crystal Pool Service needed. Estimated cost: \$5,000; funds will be budgeted in 1980-81.)

ACTION: Res. 80-506 adopted awarding bid.

(Finance to handle)

HEARINGS

15. Hearing on requirement for construction of curbs and/or sidewalks at the following locations. No. 1

- a. Curb along Trask Lane at 2336 Miller Avenue, Lot 1 of Block 2266. (Nellie L. Guinn)
- b. Curb and full sidewalk along Trask Lane at 104-12 Trask Lane, a portion of block 2401. (Raymon L. Maderos)
- c. Curb and full sidewalk along Trask Lane at 2301 Yosemite Blvd. (Norman Quigley)
- d. Curb along Trask Lane at 2337 Dora Street, Lot 20 of Block 2268. (Russell Strzala)
- e. Sidewalk along Trask Lane at 111 Trask Lane, Lot 1 of Block 2265. (T.G. Trotter)

ACTION: Res. 80-507 adopted (Elliott/Bright, unan., Kullijian absent) (P.W. to handle)

16. Hearing on amendment to Section 10-3-9 of the Zoning Map to rezone from a portion of P-D(150) to R-3, property located at the southwest corner of Oakdale Road and Bridgewood Way. (Beiser-Feder Real Estate) No. 2

ACTION: By motion (Muratore/Siefkin, unan., Kullijian absent) Ord. No. 1946-C.S. introduced rezoning.

Res. 80-508 adopted (same vote) certifying review of Environmental Impact Report. (Clerk/Planning to handle)

17. Hearing on amendment to Section 27-3-9 of the Zoning Map to rezone from R-2 to P-D(266), property located on the east side of Coffee Road, south of Lucern to allow construction of a 145-unit elderly high rise housing project. (Michael and Joan Hardin, Tommy and Zeda Toler, James and Norma Hays) No. 3

ACTION: By motion (Bright/Lang, unan., Kullijian absent) Ord. No. 1947-C.S. introduced.
Res. 80-509 adopted (same vote) rezoning.
Res. 80-510 adopted (same vote) certifying review of Environmental Impact Report. (Clerk/Planning to handle)

18. Hearing on amendment to Section 15-3-9 of the Zoning Map to rezone from R-2, P-D(153), and a portion of P-D(211) to P-D(265), property located on the north side of Floyd Avenue, east of Pridmore Avenue to allow duplexes. (U.S. By-Products) No. 4

ACTION: By motion (Lang/Siefkin, majority, Elliott-no, Kullijian absent) Ord. No. 1948-C.S. introduced.
Res. 80-511 adopted (same vote) rezoning.
Res. 80-512 adopted (same vote) certifying review of Environmental Impact Report. (Clerk/Planning to handle)

19. Continued hearing on amendment to Section 17-3-9 of the Zoning Map to rezone from R-1 to R-2, property located at the northeast corner of Tully Road and Bowen Avenue. (William Witzke) (Continued from May 13, 1980 meeting) No. 5

Councilmember Lang and Mayor Mensinger excused because they were not present at the hearing on May 13.

By motion (Elliott/Muratore, unan., Kullijian, Lang and Mayor Mensinger absent) Ord. No. 1949-C.S. introduced.

Res. 80-513 adopted (same vote) rezoning. (Clerk/Planning to handle)

20. Continued hearing on the cost of installation of curb along 4th Street at 404 "J" Street, a portion of Block 17. (Horace Kennedy - \$610. Continued from May 20, 1980, meeting.) No. 6

ACTION: By motion (Elliott/Bright, unan., Kullijian absent) this item postponed until a report can be made regarding public improvements in Housing Target Area No. 3 but no later than September 2, 1980. (Planning to handle)

21. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

22. Final adoption of Ord. No. 1945-C.S. amending P-D(201) to allow a condominium conversion, property located on Floyd Avenue west of Jasmin. (Modesto Development Company)
(Motion adopting needed.)

ACTION: By motion, ordinance adopted.

(Clerk to handle)

UNFINISHED BUSINESS

23. Further consideration of request of 4th of July Committee for a street dance during 1980 celebration.
(Continued from May 13, 1980, Council meeting.)

ACTION: By motion (Bright/Siefkin, majority, Lang, Mayor Mensinger-no, Kullijian absent) request denied.

24. Consider amending Section 5-6.06, Subtrunk Sewer Extension Charges, of the Municipal Code to increase subtrunk charge from \$150 per acre to \$500 per acre. (Subtrunk sewer charge was set in 1967. There have been no adjustments over the years even though construction costs have continued to increase. An adjustment at this time is necessary so that charges more closely cover construction costs. Introduction of ordinance needed. Continued from the April 15, and May 13, 1980 Council meetings.)

ACTION: By motion (Elliott/Lang, unan., Kullijian absent) Ord. No. 1950-C.S. introduced approving charges. (Atty./P.W. to handle)

NEW BUSINESS

25. Consider changing four street names: "Chablis Lane" and "Chardonnay Court" in Chablis Lane subdivision and "Chablis Court" and "Burgundy Way" in Gold Vineyard Estates subdivision to eliminate street name duplications. (It has been discovered that these names duplicate names in Vintage Park subdivision in Ceres. It is recommended that these names be changed to new names as may be submitted by the subdividers. Memo with agenda. Resolution changing street names and authorizing Director of Parking and Traffic to change street name signs at City expense. Estimated cost: \$240; funds are budgeted.)

ACTION: Res. 80-514 adopted (Elliott/Lang, unan., Kullijian absent) approving change of street names in Gold Vineyard Estate Subdivision.

By motion (Elliott/Lang, unan., Kullijian absent) discussion of Chablis Lane Subdivision street name change postponed until the status of Vintage Park Subdivision in Ceres is determined. (Planning/P.T. to handle)

CONSENT

26. Hire Construction Inspector for Eleventh Street Parking Garage.
(Memo with agenda. This project requires continuous on-site inspection. We propose to hire Ralph Shockley, by contract, to handle the inspection. The salary will be \$2,000/month for about 12 months. Resolution approving agreement needed. Estimated cost: \$24,000; funds are budgeted.)

ACTION: Res. 80-515 adopted approving agreement. (P.T. to handle)

27. Consider application by Mid-Valley Engineering for a variance from the standard driveway approach specifications for three driveways at the shopping center at the southeast corner of Standiford and Sisk.
(Applicant desires to construct driveways that would resemble City street intersections. Memo with agenda.)

DROPPED FROM AGENDA

CONSENT

28. Set date for informal public hearing for June 10, 1980, East McHenry Neighborhood Zoning and Development Plan and Policy.
(At the request of the City Council, the Planning Commission has reviewed zoning and density in the East McHenry Neighborhood and has recommended adoption of a Neighborhood Zoning and Development Plan and Policy by Planning Commission Resolution No. 80-112, dated May 19, 1980. Resolution setting public hearing June 10, 1980 at 7:30 p.m. needed.)

ACTION: Res. 80-516 adopted setting hearing. (Clerk to handle)

CONSENT

29. Consider approving application for funds under the Roberti-Z'berg Urban Open Space and Recreation Program, for Sonoma Park play equipment.
(Block grants to local governmental agencies are available under this act. The City of Modesto is eligible for \$18,031 under the block grant for 1979-80 fiscal year. Staff recommends that Council pass a resolution authorizing this application for the funds. These funds will be used to purchase play equipment for Sonoma Neighborhood Park. Resolution authorizing application for grant funds needed. Estimated cost: \$30,000; funds are budgeted.)

ACTION: Res. 80-517 adopted authorizing application for grant funds. (P.R. to handle)

CONSENT

- 29A. Consider joining in an amicus curiae brief in the case of City of Barstow et al. v. Superior Court which relates to a writ of mandate by the Superior Court directing the City Clerk and City Council of Barstow to process a referendum which had been circulated and presented for filing in an attempt to halt construction of a \$3 million swimming pool pending an election.
(Memo with agenda. Motion authorizing joining in the amicus curiae brief needed.)

ACTION: By motion, joining in amicus curiae brief approved. (Atty. to handle)

CONSENT

29B. Consider authorizing the City of Modesto to join in proposed constitutional challenge to Fair Labor Standards Act rules.
(The National Institute of Municipal Law Officers is proposing to initiate in court a constitutional challenge to Fair Labor Act rules and regulations which would affect the operation of Modesto's transit system. Memo with agenda. Resolution authorizing the City of Modesto's participation in the litigation needed.)

ACTION: Res. 80-518 adopted authorizing City of Modesto's participation in the litigation.
(Atty. to handle)

REPORTS

30. School Site and Facilities Tax Report.
(The Public Projects Committee has reviewed the annual submission of the school districts and held a series of public meetings. Attached are their recommendations to the Council. Motion accepting recommendations of Public Projects Committee needed.)

ACTION: By motion (Siefkin/Bright, unan., Kullijian absent) Public Projects Committee recommendations approved with the provision that a letter be sent to the Modesto High School District asking that the E.I.R. include consideration of the use of Washington School site as a possibility for enlargement of Modesto High School Campus. (Planning)

31. Report regarding massage regulations.
(Report with agenda. Introduction of ordinance needed.)

ACTION: By motion (Elliott/Siefkin, unan., Kullijian absent) Ord. No. 1951-C.S. introduced.
(Clerk to handle)

32. Consider establishing a Community Action Agency,
(Memorandum with agenda. Motion directing staff needed.)

ACTION: By order of the Chair, action deferred until Councilmembers have an opportunity to study this matter further.
(Manager to handle)

MISCELLANEOUS

33. Legislation

ACTION: By motion (Elliott/Lang, unan., Kullijian absent) HR 5200 opposed.
By motion (Elliott/Lang, unan., Kullijian absent) SB 1960 opposed.
By motion (Lang/Siefkin, unan., Kullijian absent) SB 1683 supported.
By motion (Siefkin/Elliott, majority, Muratore-no, Kullijian absent) AB 3157 supported.
By motion (Lang/Muratore, unan., Kullijian absent) AB 3080 supported with amendment.
By motion (Lang/Elliott, unan., Kullijian absent) AB 2723 supported.
By motion (Muratore/Elliott, unan., Kullijian absent) AB 2674 opposed.
By motion (Lang/Bright, unan., Kullijian absent) AB 2549 opposed.
By motion (Siefkin/Muratore, unan., Kullijian absent) AB 2464 supported with amendments.
By motion (Bright/Siefkin, unan., Kullijian absent) SB 1723 supported.
By motion (Siefkin/Muratore, unan., Kullijian absent) SB 937 supported.

34. Appointments

None

35. Matters too late for the agenda

None

Adjourned at 11:10 p.m. to executive session to consider an employee relations matter and did not return to open session.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk

Adjourned Regular Meeting
Modesto City Council
May 29, 1980

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California,

Present: Councilmembers Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

Absent: Councilmember Lang

The following budget was reviewed;

Airport

The meeting was adjourned at 4:05 to June 2, 1980, at 3:00 p.m. in the Council Chambers.

ATTEST:



NORRINE COYLE City Clerk

Adjourned Regular Meeting
Modesto City Council
June 2, 1980

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore,
Mayor Mensinger

Absent: Councilmember Siefkin

The following budget was reviewed:

Four year Capital Improvement Program

The meeting was adjourned at 5:10 to Wednesday, June 11, 1980,
at 3:00 p.m. in the Council Chambers.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 3, 1980, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
(Councilmember Bright arrived at 4:07 p.m.)

Pledge of allegiance to the Flag

Invocation: Rev. Ray Garcia - Lighthouse Temple

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 7, 8, 9, 21, 23, 24,
Dropped from agenda: 6, 10 26, 27, 28, 29, 30, 31, 33
Removed from consent: 25

ACTION: (Siefkin/Muratore, unan., Bright absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

PRESENTATIONS

1. Presentation of plaque to Jim Richardson, former Chairman of Modesto Human Rights Commission.

ACTION: Mayor Mensinger presented the plaque to Jim Richardson.

MINUTES

CONSENT

2. Approval of minutes of the regular meeting of May 27, 1980, and the adjourned regular meeting of May 28, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved. (Clerk to handle)

COMMUNICATIONS

3. Request by Pizza Time Theatre for an amendment to the Municipal Code section concerning amusement centers.

ACTION: By motion (Kullijian/Lang, unan.) staff directed to prepare a Code amendment that would allow the kind of business being proposed. (Planning/Police to handle)

CONSENT

5. Request by Modesto Civic Theatre to close Sycamore and Park Avenues to vehicular traffic during "Shakespeare in the Park" performances in August, 1980. (Motion referring to staff for recommendation needed.)

ACTION: By motion, request referred to staff, (P,T, to handle)

BIDS

CONSENT

6. Consider award of contract for the construction of west trunk sewer south from the Woodland Avenue pumping plant to the City sewage treatment plant. (Bids were opened on May 22, 1980 at 2:00 p.m. The low bid of \$2,865,010.60, submitted by Western Pipeline is 29% below the engineer's estimate and is considered acceptable. It is, therefore, recommended by the Public Works Department that the contract be awarded to Western Pipeline. Resolution awarding contract to Western Pipeline needed. Estimated cost: \$3,300,000 (Contract \$2,865,010.60; Engr. & Contg. \$434,989.40); funds are budgeted.)

Dropped from agenda.

CONSENT

7. Consider award of contract for the Police parking lot paving at 610 - 10th Street. (Bids were opened on May 20, 1980. The low bid of \$29,950, submitted by Lee White Paving Co., Inc. is 14% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Public Works and Police Department that the contract be awarded to them. Resolution awarding contract to Lee White Paving Co. needed. Funds are budgeted.)

ACTION: Res. 80-519 adopted awarding contract. (P.W. to handle)

CONSENT

8. Consider acceptance of The Flintkote Company's contract for reconstruction of downtown alleys in Blocks 56, 63, 84, 85, 86, 92, 93, and 94 as complete. (Original contract: \$103,139)

(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$106,254; funds are budgeted.)

ACTION: Res. 80-520 adopted accepting as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of the contract of California Pavement Maintenance for slurry seal of various streets - 1979 as complete. (Original contract: \$149,959.23) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$149,779.23; funds are budgeted.)

ACTION: Res. 80-521 adopted accepting as complete. (Clerk to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened June 24, 1980, at 2:00 p.m. for furnishing landscape and maintenance service. (Requested by the Parks and Recreation Department, the landscape maintenance service will be performed on pump stations, small islands, and specific areas such as City Hall and Police Building grounds. Bids received will be compared against City costs to perform the same service and a final recommendation will be made to Council. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$118,000; funds are budgeted.)

Dropped from agenda.

HEARINGS

11. Hearing to consider determining that the public interest and convenience require that Chicago Avenue Annexation be annexed to Modesto Municipal Sewer District No. 1. No. 1

ACTION: Res. 80-522 adopted (Lang/Elliott, unan.) annexing to Sewer District. (Clerk to handle)

12. Hearing to consider determining that the public interest and convenience require that Dale-Snyder No. 2 Annexation be annexed to Modesto Municipal Sewer District No. 1. No. 2

ACTION: Res. 80-523 adopted (Lang/Elliott, unan.) annexing to Sewer District.(Clerk to handle)

13. Hearing to consider determining that the public interest and convenience require that Crows Landing-Whitmore Annexation be annexed to Modesto Municipal Sewer District No. 1. No. 3

ACTION: Res. 80-524 adopted (Lang/Elliott, unan.) annexing to Sewer District.(Clerk to handle)

14. Hearing to consider determining that the public interest and convenience require that Lance-Ellis Annexation be annexed to the Modesto Municipal Sewer District No. 1. No. 4

ACTION: Res. 80-525 adopted (Lang/Elliott, unan.) annexing to Sewer District.(Clerk to handle)

15. Hearing to consider determining that the public interest and convenience require that Standiford-Carver No. 2 Annexation be annexed to the Modesto Municipal Sewer District No. 1. No. 5

ACTION: Res. 80-526 adopted (Lang/Elliott, unan.) annexing to Sewer District.(Clerk to handle)

16. Hearing to consider determining that the public interest and convenience require that Sutter-Figaro Annexation be annexed to the Modesto Municipal Sewer District No. 1.

No. 6

ACTION: Res. 80-527 adopted (Lang/Elliott, unan.) annexing to Sewer District.(Clerk to handle)

17. Hearing to consider revised wall and fence standards.

No. 7

ACTION: By motion (Elliott/Kullijian, unan.) approved recommendations 1,2,3,4,6 changed to provide a solid masonry wall along M.I.D. Laterals, and 7.

By motion (Muratore/Siefkin, majority, Lang-no) 5 approved as changed to provide 7' interior fences.

Res. 80-528 adopted (Muratore/Siefkin, unan.) approving the above actions. (Planning)

18. Continued hearing on appeal by Dwight and Carol Wimberly to a Board of Zoning Adjustment decision regarding a variance in connection with a patio cover. (Continued from the April 15, May 6, and May 20, 1980 Council meetings.)

No. 8

ACTION: Res. 80-529 adopted (Elliott/Lang, unan.) appeal denied.

(Clerk to handle)

19. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

Joyce McCown, representing Paul's Pharmacy, said they were having a problem getting a permit to place a temporary mobile home in front of the store to use until repairs made necessary because of a fire, can be completed. Staff to work with her on the permit.
(P.W. to handle)

ORDINANCES

20. Final adoption of Ord. No. 1948-C.S. rezoning to P-D(256) property located on Floyd Avenue east of Pridmore Avenue to allow duplexes (U.S. By-Products).
(Motion adopting needed.)

ACTION: By motion (Elliott/Kullijian, unan.) Ord. No. 1948-C.S. adopted. (Clerk to handle)

CONSENT

21. Final adoption of:

- a. Ord. No. 1946-C.S. rezoning from R-3 property located on Oakdale Road and Bridgewood Way (Beiser-Feder Real Estate).
- b. Ord. No. 1947-C.S. rezoning to P-D(266) property located on Coffee Road south of Lucern to permit a high rise housing project for the elderly (Michael and Joan Hardin, Tommy and Zeda Toler, James and Norma Hays).
- c. Ord. No. 1951-C.S. relating to the massage regulations.
(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

UNFINISHED BUSINESS

22. Further consideration of changing the names of "Chablis Lane" and "Chardonnay Court" in Chablis Lane Subdivision to eliminate street name duplications. (This matter was continued from the meeting of May 27, 1980. Memo with agenda. Resolution changing two street names and authorizing Director of Parking and Traffic to change street name signs at City expense needed. Estimated cost: \$150; funds are budgeted.)

ACTION: Res. 80-530 adopted (Kullijian/Elliott, unan.) changing names to Champagne Lane and Bleu Chapelle Court, (P.T. to handle)

NEW BUSINESS

CONSENT

23. Consider the following: 1) Amending the City of Modesto FY 1979-80 Final Budget to provide for an OTS grant funded Driving Under the Influence Enforcement Program; 2) Waiving formal bid procedures by five affirmative votes and authorizing the purchase of four Police patrol cars from the State of California Department of General Services for the total price of \$28,893.40. (Memorandum with agenda. Resolution amending the FY 1979-80 budget and resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-531 adopted amending the FY 1979-80 budget.

Res. 80-532 adopted waiving formal bid and authorizing purchase. (Finance/Police to handle)

CONSENT

24. Consider authorizing the City Manager to submit three grant renewals for the second year continuation of the Community Service Officer program in the Police Department. (Memorandum with agenda. Three resolutions authorizing the City Manager to sign three grant renewals needed.)

ACTION: Res. 80-533 adopted authorizing grant renewal under provisions of the Juvenile Justice and Delinquency Prevention Act of 1974,

Res. 80-534 adopted authorizing grant renewal under provisions of Omnibus Crime Control and Safe Streets Act of 1968.

Res. 80-535 adopted authorizing grant renewal funded by Omnibus Crime Control and Safe Streets Act of 1968. (Police to handle)

25. Recommend Unclassified Use Permit to National Medical Enterprise. (On May 19, 1980, the Planning Commission adopted Resolution No. 80-122 recommending to the Council an Unclassified Use Permit to permit a 24-hour child care center for National Medical Enterprises, on East Roseburg, east of McHenry Avenue. Resolution setting public hearing June 24, 1980, at 7:30 p.m. needed.)

Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 80-536 adopted (Lang/Kullijian, unan., Mayor Mensinger absent) (Clerk to handle)

CONSENT

26. Recommend to Council an amendment to P-D(68), Oakbrook Associates. (On May 19, 1980, the Planning Commission adopted Resolution No. 80-120 recommending to the Council an amendment to P-D(68) to allow conversion to condominium property located south of Scenic Drive, east of Rose. Resolution setting public hearing June 24, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-537 adopted setting hearing.

(Clerk to handle)

CONSENT

27. Consider escalation of bond redemption charges for residential, commercial, and industrial properties for fiscal year 1980-81.
(Annually, the City must take action concerning escalation of bond redemption charges for sewer service. It is recommended that the escalation of those charges not be waived for fiscal year 1980-81. Memo with agenda. Motion approving recommendation that escalation of bond redemption charges for fiscal year 1980-81 not be waived needed.)

ACTION: By motion, escalation of bond redemption charges for 1980-81 not waived,
(Finance to handle)

CONSENT

28. Proposed amendments to the map of the Land Use and Circulation Elements of the Modesto Urban Area General Plan.
(Resolution setting public hearing July 1, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-538 adopted setting hearing, (Clerk to handle)

CONSENT

29. Consider Roselawn-Rouse Governmental Reorganization to the City of Modesto.
(On May 21, 1980, LAFCO approved the Roselawn-Rouse Governmental Reorganization to the City of Modesto. The governmental reorganization would include annexation to the City, detachment from the Burbank-Paradise Fire District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. Resolution ordering the Roselawn-Rouse Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 80-539 adopted ordering reorganization to City of Modesto. (Clerk/Planning to handle)

CONSENT

30. Consider Scenic Bend No. 2 Governmental Reorganization to the City of Modesto.
(On May 21, 1980, LAFCO approved the Scenic Bend No. 2 Governmental Reorganization to the City of Modesto. The governmental reorganization would include annexation to the City, detachment from the McHenry-Dry Creek Fire District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. Resolution ordering the Scenic Bend No. 2 Governmental Reorganization to the City of Modesto and certifying the environmental impact needed.)

ACTION: Res. 80-540 adopted ordering reorganization to City of Modesto. (Clerk/Planning to handle)

CONSENT

31. Set date for public hearing to consider the Carpenter Road No. 2 Annexation located on the west side of Carpenter Road between Woodland Avenue and Torrid Avenue and bounded by Shasta Avenue and Watts Avenue on the west.
(LAFCO approved this annexation on May 21, 1980. Resolution setting date for public hearing on July 8, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-541 adopted setting hearing. (Clerk to handle)

REPORTS

32. Report on preliminary plans for interior restoration of McHenry Mansion. (The architectural firm of Crosby, Thornton and Marshall has completed preliminary plans for the restoration of the McHenry Mansion. Oral report will be made at meeting. Motion directing staff needed.)

ACTION: By motion (Lang/Siefkin, unan.) staff directed to proceed with working drawings, (P.R. to handle)

APPROPRIATION TRANSFERS

CONSENT

33. Report on letter from the McHenry Museum Guild and Society requesting funds from the Special Museum Account. (Staff is recommending appropriation from the General Reserve of the Special Museum Account (Sale of Centennial Supplies) for the purchase of materials for construction of bookcases and the purchase of file cabinets for use at the Museum. Resolution approving appropriation transfer needed. Estimated cost: \$1,731.43.)

ACTION: Res. 80-542 adopted approving appropriation transfer, (P.R./Finance to handle)

MISCELLANEOUS

34. Legislation

None

35. Appointments

None

36. Matters too late for the agenda

ACTION: Res. 80-543 adopted (Siefkin/Kullijian, unan.) changing informal hearing on Airport Committee's report from June 10 to July 1, 1980.

Adjourned at 5:55 p.m. to /executive session to consider an employee relations matter and did not return to open session.

ATTEST: *Norrine Coyle*

NORRINE COYLE, City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 10 , 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Kullijian, Lang, Muratore,
Siefkin, Mayor Mensinger

Absent: Councilmember Elliott

Pledge of allegiance to the Flag

Invocation: Rev. Leon Plante, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
14, 15, 16, 17, 18, 19, 19A, 26, 27, 27A, 28, 29,
31, 32, 33

ACTION: (Lang/Siefkin, unan., Elliott
absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

PRESENTATION

1. Presentation of four paintings to the City of Modesto by the Central California Art League.

ACTION: Paintings were presented by Mary Cadrett.

MINUTES

CONSENT

2. Approval of minutes of the adjourned regular meeting of May 29, the adjourned regular meeting of June 2, and the regular meeting of June 3, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved, (Clerk to handle)

COMMUNICATIONS

3. Letter from Downtown Improvement District concerning "Old Town Charette."

ACTION: A slide presentation was given by J.D. Grothe.

CONSENT

4. Appeal by nine citizens to a Board of Zoning Adjustment decision concerning an application by Calvin D. Henna for an H-1 use permit for a Family Amusement Center at 3300 McHenry Avenue.
(Resolution setting hearing July 8, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-544 adopted setting hearing. (Clerk to handle)

CONSENT

5. Request by Myron Boyd Smith for permission to present a late claim against the City of Modesto for personal injuries.
(Resolution approving request needed.)

ACTION: Res. 80-545 adopted approving request.

(Clerk to handle)

BIDS

CONSENT

6. Consider approving specifications and authorizing call for bids to be opened July 1, 1980, at 2:00 p.m., for furnishing three industrial high pressure washers. (Requested by the Parks and Recreation Department, the pressure washers will be used by the Parks Division maintenance crews to clean restroom facilities, tennis courts, equipment and to remove graffiti from walls. The equipment will not replace any similar equipment presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$8,563.00. Funds are budgeted.)

ACTION: Res. 80-546 adopted calling for bids.

(Finance to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened June 24, 1980, at 2:00 p.m., for furnishing landscape maintenance service. (Requested by the Parks and Recreation Department, the landscape maintenance service will be performed on pump stations, small islands, and specific areas such as City Hall and Police building grounds. Bids received will be compared against City costs to perform the same service and a final recommendation will be made to Council. Resolution approving specifications and authorize call for bids needed. Estimated Cost: \$118,000. Funds are budgeted.)

ACTION: Res. 80-547 adopted calling for bids.

(Finance to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for improvement of corporation yard - surface north area.
(This project will provide asphalt surfacing and drainage in a storage area of the corporation yard. Suggested bid opening: June 24, 1980 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$7,578.50 (Contr. \$6,590; Eng. & Contg. \$988.50). Funds are budgeted.)

ACTION: Res. 80-548 adopted calling for bids.

(P.W. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for slurry seal program 1980-81, various locations throughout City.
(This project will slurry seal approximately 5 miles of City streets to reduce maintenance and extend the pavement life. Suggested bid opening date: July 1, 1980 at 11:10 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$67,885 (Contr. \$63,147.89; Eng. & Cont. \$4,737.11) Funds are budgeted.)

ACTION: Res. 80-549 adopted calling for bids.

(P.W. to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for heater remix and slurry seal 1980-81. This project is the recycling of three miles of asphalt street pavement in the downtown area.
(This project is part of an on-going street maintenance program. Suggested bid opening date: July 1, 1980 at 11:05 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$126,756 (Contract: \$113,227.40; Eng. & Cont. \$13,528) Funds are budgeted.)

ACTION: Res. 80-550 adopted calling for bids, (P.W. to handle)

CONSENT

11. Approval of plans and specifications and calling for bids for resurfacing City streets 1980-81, various locations throughout City.
(This project is part of an on-going streets maintenance program. Suggested bid opening date: July 8, 1980 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$260,164.30 (Contr. \$236,513; Eng. & Contg. \$23,651.30) Funds are budgeted.)

ACTION: Res. 80-551 adopted calling for bids, (P.W. to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for construction of Tully Road at Hetch Hetchy right of way and consider approval of agreement with Hetch Hetchy for revocable permit.
(This project has been budgeted to complete the widening and improvement of Tully Road on the east side adjacent to Hetch Hetchy. Suggested bid opening: July 1, 1980 at 11:15 a.m. (1) Resolution approving plans and specifications and calling for bids needed; and (2) Resolution approving agreement with Hetch Hetchy needed. Estimated Cost: \$20,800 (Contr. \$18,095; Eng. & Contg. \$2,705) Funds are budgeted.)

ACTION: Res. 80-552 adopted calling for bids,
Res. 80-553 adopted approving agreement with Hetch Hetchy (P.W. to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for Morris Avenue reconstruction from McHenry Avenue to Ramona Avenue including Morris/Sycamore revision.
(This is the second and last phase of Morris Avenue reconstruction. Suggested bid opening date is July 1, 1980 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$173,000 (Contr. \$154,309.50; Eng. & Contg. \$18,690.50.) Funds are budgeted.)

ACTION: Res. 80-554 adopted approving plans and calling for bids. (P.W. to handle)

CONSENT

14. Consider award of contract for the construction of sewer extension in Palmwood Drive.
(Bids were opened on June 3, 1980. The low bid of \$7,834, submitted by Rolfe Construction is 18% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Rolfe Construction needed. Funds are budgeted.)

ACTION: Res. 80-555 adopted awarding contract, (P.W. to handle)

15. Accept Tully/Woodrow traffic signals.
(Memo with agenda. All work has been completed to the satisfaction of the Director of Parking and Traffic. Resolution accepting project, authorizing City Clerk to file Notice of Completion and Finance Department to make the final payment needed. Estimated Cost: \$28,913. Funds are budgeted.)

ACTION: Res. 80-556 adopted accepting as complete, (Clerk to handle)

CONSENT

16. Consider acceptance of Ferrero Electric's contract for street light modernization - Orange Avenue post top area as complete. (Original contract and final cost - \$74,760.)

(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed, Funds are budgeted.)

ACTION: Res. 80-557 adopted accepting as complete, (Clerk to handle)

CONSENT

17. Consider approval of a purchase order of \$4,900 to Osterberg and Stewart for the redevelopment of City of Modesto Well No. 20.

(Well No. 20 is located north of Whitmore Avenue east of Crows Landing Road.

The well began pumping large quantities of sand necessitating redevelopment.

Funds are budgeted. Memo with agenda, Resolution approving purchase order needed.)

ACTION: Res. 80-558 adopted approving purchase order, (P.W. to handle)

CONSENT

18. Consider waiving formal bid procedures by five affirmative votes and authorize the purchase of one Cummins diesel engine from Watson and Meeham Company for the total price of \$14,431.90.

(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-559 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

CONSENT

19. Consider waiving formal bid procedures by five affirmative votes and authorize the purchase of field and laboratory testing services on the 11th Street Garage from Quality Control Inspection.

(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase of services needed. Estimated cost: \$7,630.00. Funds are budgeted.)

ACTION: Res. 80-560 adopted waiving formal bid and authorizing purchase. (Finance to handle)

CONSENT

19A. Consider approval of plans and specifications and call for bids for McHenry Museum heating, ventilating and air conditioning and lighting.

(This project is budgeted to provide new heating, air conditioning, lighting and electrical facilities at the Museum. The McHenry Museum Guild has contributed

\$18,950 for the tract lighting. Suggested bid opening: July 1, 1980 at 11:20 a.m.

Resolution approving plans and specifications and calling for bids needed and resolution approving appropriation transfer needed. Estimated cost: \$185,745 (Contract \$167,950; Engr. & Contg. \$17,795); funds are partially budgeted.)

ACTION: Res. 80-561 adopted calling for bids.
Res. 80-562 adopted approving appropriation transfer. (P.W./Finance to handle)

20. Hearing to consider 1980-81 Preliminary Budget and Revenue Sharing projects. No. 1

No action taken by City Council

21. Hearing on amendments and additions to the Zoning Regulations - Omnibus #6. No. 2

ACTION: By motion (Muratore/Lang, unan., Elliott absent) Ord. No. 1952-C.S. introduced amending zoning regulations.

Res. 80-563 adopted (Muratore/Lang, unan., Elliott absent) adopting off-street parking policy.

22. Hearing on amendment to P-D(160) for condominium conversion, property located on Randazzo Avenue, north of Evergreen Avenue. (Modesto Development) No. 3

ACTION: By motion (Lang/Kullijian, unan., Elliott absent) Ord. No. 1953-C.S. introduced amending P-D(160).

Res. 80-564 adopted (same vote) amending P-D(160) (Clerk to handle)

23. Hearing on amendment to the Unclassified Use Permit for Doctors Medical Center for a conference building. Mayor Mensinger excused due to a conflict of interest. No. 4

ACTION: By motion (Lang/Kullijian, majority, Siefkin-no, Elliott and Mayor Mensinger absent) the request to continue this hearing was denied.

Res. 80-565 adopted (Lang/Bright, unan., Elliott and Mayor Mensinger absent) approving. (Clerk to handle)

24. Informal hearing on East McHenry Neighborhood Zoning and Development Plan and Policy. No. 5

ACTION: By motion (Lang/Bright, unan., Elliott absent) Planning Commission recommendation of no change on Sunrise Avenue be accepted.

By motion (Kullijian/Lang, unan., Elliott absent) Planning Commission recommendation of no change in the southern area be accepted.

By motion (Lang/Kullijian, majority, Lang-no, Elliott absent) (amended by a motion (Siefkin/Muratore, majority, Lang-no, Elliott absent) to permit R-2 zoning to a depth of 300 feet on the north side of Orangeburg except where developed in R-1.) the Planning Commission recommendation of no additional R-2 Zoning on Orangeburg was accepted.

By motion (Muratore/Lang, unan., Elliott absent) Planning Commission recommendation of no change in area north of Orangeburg accepted. (Planning to handle)

A five minute recess was taken at 11:05 p.m.

25. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

ACTION: Item 3 was taken up under "Matters for the good of the community".

ORDINANCES

CONSENT

26. Final adoption of:

- a. Ordinance No. 1949-C.S. rezoning from R-1 to R-2 property located on the northeast corner of Tully and Bowen (William Witzke).
- b. Ordinance No. 1950-C.S. amending the Municipal Code section relating to subtrunk sewer extension charges.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted,

(Clerk to handle)

CONSENT

27. Consider repeal of Article 5 of Chapter 7 of Title IV of the Modesto Municipal Code relating to picketing.

(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ordinance No. 1954-C.S. introduced,

(Clerk to handle)

CONSENT

27A. Consider a regular ordinance and an emergency ordinance amending Sections 8-2.402, 8-2.403 and 8-2.404 of Article 4 of Chapter 2 of Title VIII of the Modesto Municipal Code relating to sales and use taxes.

(Memo of explanation with agenda. Introduction of regular ordinance and adoption of emergency ordinance needed.)

ACTION: By motion, Ord. No. 1955-C.S. introduced relating to sales and use taxes.

By motion, Emergency Ord. No. 1956-C.S. introduced,

(Clerk to handle)

NEW BUSINESS

CONSENT

28. Consider request from Modesto Golf Club to install a scoreboard and driving range green at Dryden Golf Course.

(Memo with agenda. Motion approving staff recommendation needed.)

ACTION: By motion, recommendation approved,

(P.R. to handle)

CONSENT

29. Consider proposal to build a barbecue pit in Graceada Park.

(The Modesto Jaycees have proposed building a block barbecue in Graceada Park. They are donating all labor and materials. The barbecue will be located adjacent to the group picnic area. Staff recommends acceptance of the proposal. Motion approving staff recommendations needed.)

ACTION: By motion, recommendation approved.

(P.R. to handle)

30. Consider agreement for Highway 132 environmental impact report.
(Memo with agenda. The State would make this report on the impacts of a Jennie-Grand, 14th-15th Streets highway routing. The City would pay up to \$75,000 towards the cost of the report. Resolution approving agreement needed. Estimated cost: \$75,000; funds are budgeted.)

ACTION: Res, 8Q-566 adopted (Lang/Siefkin, unan., Elliott absent) approving agreement.
(P.T. to handle)

CONSENT

31. Consider a resolution authorizing the City Manager to enter into a contract with the California Department of Justice for the purpose of obtaining reimbursement monies through the "California Witness Protection Program," and to apply for and sign renewals in the same program.
(Memorandum with agenda. Resolution approving contract with the California Department of Justice needed.)

ACTION: Res, 8Q-567 adopted approving contract. (Police to handle)

CONSENT

32. Consider approval of the final map of Coffee Square Professional Center subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Richards/Tallent/Durossette, a general partnership.
(The subdivision agreement has been signed and all fees paid. Coffee Square Professional Center is located on the west side of Coffee Road, south of Brighton Avenue and north of Downey High School. It contains 2.288 acres. Resolution approving final map needed.)

ACTION: Res, 8Q-568 adopted approving final map. (Clerk to handle)

REPORTS

CONSENT

33. Notice of PGandE application to increase natural gas rates.
(Memo with agenda. The application would increase rates by about 17.1%, approximately \$589 million over a 12 month period beginning 7/1/80. Motion acknowledging receipt of report needed.)

ACTION: By motion receipt of report acknowledged,

MISCELLANEOUS

34. Legislation

ACTION: By motion (Bright/Siefkin, unan., Elliott absent) A.B. 1600 opposed unless amended.
By motion (Kullijian/Muratore, unan., Elliott absent) AB 2432 opposed.
By motion (Lang/Siefkin, unan., Elliott absent) 3.7 billion dollar fiscal year 1
federal budget appropriation for sewage treatment project supported.

(Management Services to handle)

35. Appointments

None

36. Matters too late for the agenda

ACTION: Res. 80-569 adopted (Bright/Muratore, unan., Elliott absent) authorizing City Manager to sign a hold harmless agreement with Stanislaus County to use two prisoner transportation vans on Graffiti Night.

Adjourned at 11:25 p.m. to Executive session to consider an employee relations matter and did not return to open session.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m., in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California

Present: Councilmembers Bright, Lang, Muratore, Siefkin,
Mayor Mensinger
(Councilmember Siefkin arrived at 3:25 p.m.)

Absent: Councilmembers Elliott and Kullijian

The following were approved:

Head Rest	\$20,000
Miscellaneous Promotions	1,000
California Relays	6,000
Fourth of July Celebration	4,500
Modesto Band	2,150
Modesto Symphony	5,500
Industry, Business and Jobs	55,000
American Legion Baseball	195
Association of Performing Arts	5,000
Coalition Center of the Disabled	3,000
Modesto Elks Babe Ruth League	1,943
Stanislaus Union School District Baseball for Youth Program	2,032

The 1980-81 Capital Improvement Program was approved as presented.

The meeting was adjourned at 4:55 to Wednesday, June 12, 1980,
at 3:00 p.m. in the Council Chambers,

ATTEST: *Norrine Coyne*
NORRINE COYNE, City Clerk

Adjourned Regular Meeting
Modesto City Council
June 12, 1980

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Kullijian, Lang, Muratore, Siefkin,
Mayor Mensinger

(Councilmember Siefkin arrived at 3:20 p.m.)

Absent: Councilmember Elliott

The airport budget and fees for recreation programs were discussed.

The meeting was adjourned at 4:45 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

Roll Call - Present: Councilmembers Elliott, Kullijian, Lang, Muratore, Siefkin

Absent: Councilmember Bright, Mayor Mensinger

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

ACTION: (Kullijian/Elliott, unan., Bright and Mayor Mensinger absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the regular City Council meeting of June 10, 1980, and the adjourned regular meeting of June 11, 1980.
(Motion approving needed,)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

CONSENT

2. Letter from Bank of America requesting abandonment of approximately 118 feet of the 20 foot wide alley in Block 68.
(Resolution setting hearing July 8, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-570 adopted setting hearing.

(Clerk to handle)

3. Letter from Larry C. Macy requesting continuance of discussion regarding City's Massage Ordinance.

No action taken.

- 3A. Letter from William J. Moorad, Business Manager for California Relays, requesting additional funds for expenses of the 1980 Meet.

ACTION: Res. 80-571 adopted (Muratore/Lang, unan., Bright and Mayor Mensinger absent) approving an appropriation transfer of \$5,000 from the General Reserve to the Music and Promotion Budget for the California Relays. (Finance to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for the construction of waterline extension at Prescott and Snyder.
(Suggested bid opening: July 8, 1980 at 11:30 a.m. The extension of this line will strengthen the City water system and provide Hollandia Villas with water and fire service. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$18,535 (Contract \$15,940; Eng. \$2,595). Funds are budgeted.)

ACTION: Res. 80-572 adopted calling for bids. (P.W. to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the construction of Fire Station No. 7,
(Suggested bid opening: July 15, 1980 at 2:00 p.m. Fire Station No. 7 is to be constructed on Palmwood Drive and will serve the northeast area of the City of Modesto. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$236,500 (Contract \$215,000; Eng. \$21,500). Funds are budgeted.)

ACTION: Res. 80-573 adopted calling for bids. (P.W. to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for street light modernization - Old Town Modesto.
(Memo with agenda. Suggested bid opening: July 8, 1980 at 11:15 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$175,124 (Contract \$164,040; Eng. & Contg. & M.I.D. \$11,084). Funds are partially budgeted.)

ACTION: Res. 80-574 adopted calling for bids. (P.W. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for improvement of California and Carpenter.
(Recent construction of sewer, water and curbs has made the street hazardous and the project is too extensive to be performed by our street crews. This project will make the street safe until adjacent development rebuilds the street. Suggested bid opening: July 8, 1980 at 11:10 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$14,000 (Contract \$12,625; Eng. & Contg. \$1,375) Funds are budgeted.)

ACTION: Res. 80-575 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for reconstruction of Dale Road: Vintage Faire to Snyder Avenue.
(Dale Road is an old county road which is now a major City street. The standards require that the City reconstruct the center portion and the developer improve the widened portion. Funds are budgeted in 1980-81 for the City portion. Suggested bid opening: July 8, 1980 at 11:20 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$93,500 (Contract \$83,500; Eng. & Contg. \$10,000) Funds are budgeted.)

ACTION: Res. 80-576 adopted calling for bids. (P.W. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for street light modernization - Brighton Avenue, Kruger Avenue to Wylie Drive. It is proposed to install 3 lights.
(City parks are on both sides of Brighton where these lights are missing. Suggested bid opening date: July 8, 1980 at 11:25 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$12,160 (Contract \$11,000; Eng. & Contg. \$1,160). Funds are budgeted.)

ACTION: Res. 80-577 adopted calling for bids, (P.W. to handle)

CONSENT

10. Consider award of contract for the construction of West Trunk Sewer south from the Woodland Avenue pumping plant to the City sewage treatment plant.
(Bids were opened on May 22, 1980. The low bid of \$2,865,010.60, submitted by Western Pipeline is 29% below the engineer's estimate and is considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Western Pipeline needed. Estimated cost: \$3,300,000 - (Contract \$2,865,010.60; Eng. & Contg. \$434,989.40). Funds are budgeted.)

ACTION: Res. 80-578 adopted awarding contract. (P.W. to handle)

CONSENT

11. Consider acceptance of Jeffco Roofing's contract for reroofing of Building No. 1 at the City Service Yard as complete. (Original contract: \$9,700)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$9,847.85, Funds are budgeted.)

ACTION: Res. 80-579 adopted accepting contract as complete, (Clerk to handle)

CONSENT

12. Consider declaring Pervo Paint Company low bidder and authorize the purchase of traffic line paint at the prices prevailing at time of shipment.
(Memorandum with agenda. Resolution declaring Pervo Paint Company low bidder needed. Estimated Cost: \$38,500. Funds are budgeted in 1980-81.)

ACTION: Res. 80-580 adopted authorizing purchase, (Finance to handle)

CONSENT

13. Consider acceptance of Stanislaus Pump's contract for installation of sump pumps at City Hall as complete. (Original contract and final cost: \$7,428.36).
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-581 adopted accepting as complete, (Clerk to handle)

CONSENT

14. Consider acceptance of Western Pipeline's contract for construction of lift station and subtrunk sewer in Torrid Avenue and Diablo Avenue as complete. (Original contract: \$70,566).
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$71,316.55. Funds are budgeted.)

ACTION: Res. 80-582 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of Fred J. Early, Jr. Co., Inc's contract for wastewater treatment improvements - additional aerators - EPA Project No. C-06-1063-110 as complete. (Original contract: \$994,200.)
(All work on this project has been completed to the satisfaction of the Public Works Department and an agreement has been reached on an extended warranty on underground circuits and certain replacement parts. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$976,753.44. Funds are budgeted.)

ACTION: Res. 80-583 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of George Reed, Inc's contract for residential alley reconstruction - Project No. 7 as complete. (Original contract: \$86,400).
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$89,023.50. Funds are budgeted.)

ACTION: Res. 80-584 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider rejection of the bid for the remodeling of building at 11th and "F" Streets for use by the Fire Prevention Bureau and authorize call for rebid for the addition to and modification of Fire Prevention Bureau at 11th and "F" Streets. (Suggested bid opening: July 8, 1980 at 2:00 p.m. Memo with agenda. Resolution rejecting bid and authorizing call for rebid needed. Estimated cost: \$85,000; (Contract \$80,000; Engineering \$5,000); funds are budgeted.)

ACTION: Res. 80-585 adopted rejecting bid and authorizing new call for bids. (P.W. to handle)

CONSENT

18. Consider issuing a purchase order not to exceed \$5,000 to Howk Well & Equipment Company, Inc for refurbishing and reinstalling the pumping equipment at City of Modesto Well No. 20.
(The redevelopment of this well to eliminate the sand problem has been completed. The pump equipment is in need of refurbishing and an additional 20' needs to be added to the pump column. Work is to be performed on a cost plus overhead basis fee of less than \$5,000. Memo with agenda. Resolution approving purchase order needed. Funds are budgeted.)

ACTION: Res. 80-586 adopted approving purchase order. (Finance to handle)

19. Hearing to consider filing a federal transit operating grant application for fiscal year 1980-81. No. 1

ACTION: By motion (Elliott/Kullijian, unan., Bright and Mayor Mensinger absent)
 hearing continued to July 1, 1980, 4:00 p.m. (Clerk to handle)

20. Hearing on amendment to Section 19-3-10 of the Zoning Map to prezone to P-P-D(267) property located east of Claus Road, south of E. Orangeburg Avenue to allow a zero lot line patio house development. (Modesto Development) No. 2

ACTION: By motion (Kullijian/Elliott, unan., Bright and Mayor Mensinger absent)
 Ord. No. 1957-C.S. introduced.
 Res. 80-587 adopted (same vote) approving amendment to Section 19-3-10,
 Res. 80-588 adopted (same vote) certifying review of Environmental Assessment Report.
(Clerk/Planning to handle)

21. Matters for the good of the community.
 (These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

22. Final adoption of:

- a. Ordinance No. 1952-C.S. amending various sections of the Zoning Regulations - (Omnibus 6).
- b. Ordinance No. 1953-C.S. amending P-D(160) to permit condominium conversions, property located on Randazzo Avenue north of Evergreen (Modesto Development).
- c. Ordinance No. 1954-C.S. repealing the Modesto Municipal Code Section relating to picketing.
- d. Ordinance No. 1955-C.S. amending the Modesto Municipal Code sections relating to sales and use taxes.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted. (Clerk to handle)

CONSENT

23. Consider changing speed limits on several streets.
(Memo with agenda. The changes update speed limits which are expiring and change some limits due to changed conditions or traffic. Introduction of ordinance amending Municipal Code Sections 3-2.1401 and 3-2.1401.1 needed. Estimated cost: \$300; funds are budgeted.)

ACTION: By motion, Ord. No. 1958-C.S. introduced.

UNFINISHED BUSINESS

24. Further consideration of request of Alan Koff to allow an existing fence to remain three feet within an alley right-of-way.
(Memo with agenda. On March 4, 1980, the Council considered this request and directed staff to investigate the possibility of abandoning the alley extending between Morris Avenue and Baker Way, east of McHenry Avenue. Report from Director of Planning and Community Development with agenda. Motion directing staff needed.) Acting Mayor Siefkin excused due to a conflict of interest.

ACTION: By motion (Lang/Kullijian, unan., Bright and Mayor Mensinger absent) Councilmember Elliott elected Mayor pro tem.

A motion to direct staff to prepare an encroachment permit died for lack of a second.
By motion (Muratore/Kullijian, unan., Bright, Siefkin, Mayor Mensinger absent) this item continued to July 15, 1980 to allow Mr. Koff to check with commercial property owners. (Clerk to handle)

NEW BUSINESS

CONSENT

25. Consider agreement covering pedestrian overpass to new 11th Street garage.
(Memo with agenda. The agreement is with Mr. Elmo Wilson and provides for all expenses to be borne by Mr. Wilson. Resolution approving agreement needed.)

ACTION: Res. 80-589 adopted approving agreement. (P.T. to handle)

CONSENT

27. Consider revising fees for Modesto Municipal Code pages, copies of City documents, maps, and other materials, and for mailing copies of Council meeting agendas and minutes.
(Memo with agenda. Resolution approving revised fees needed.)

ACTION: Res. 80-590 adopted approving revised fees. (Clerk to handle)

CONSENT

28. Consider adoption of 1980-81 fiscal year operating budget, including first year of the Four Year Capital Improvement Program, and making adjustments to implement existing Labor Relations Agreements and Understandings.
(Adoption of an ordinance and four resolutions needed.)

ACTION: By motion, Ord. No. 1959-C.S. introduced adopting the 1980-81 fiscal year operating budget,

Res. 80-591 adopted establishing salary schedules & fixing compensation,
Res. 80-592 adopted establishing procedure for payment of uniform allowance for Police Department personnel.
Res. 80-593 adopted authorizing payment of certain premium rates charged by Calif. Blue Shield under group medical contract, (Finance/Clerk to handle)

CONSENT

29. Consider request for sewer service to property outside City limits at 1117 Garden Avenue, located on the north side of Garden Avenue, between Sutter Avenue and Colorado Avenue. Owners: Jose M. and Marie Bautista (The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits. A line exists to serve the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-594 adopted approving agreement, (P.W. to handle)

CONSENT

30. Consider approval of the final map of Wimbledon Court subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Tully-Rumble Partnership. (The subdivision agreement has been signed and all fees paid. Wimbledon Court is located on the west side of Tully Road between Rumble Road and Morada Drive. It contains 0.717 acres. Resolution approving final map needed.)

ACTION: Res. 80-595 adopted approving final map, (Clerk to handle)

CONSENT

31. Consider acceptance of improvements in Winsor Tract No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Alfred J. and Loretta E. Rice and Alice June Hiles) (Winsor Tract No. 2 subdivision is located west of Shawnee Drive, north of Cheyenne Way. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-596 adopted accepting improvements as complete, (Clerk to handle)

CONSENT

32. Consider adopting three resolutions authorizing the City Manager to sign three grant renewals for the second year continuation of the Community Service Officer Program in the Police Department. (On June 3, 1980, the City Council authorized the City Manager to submit three grant renewals for the second year continuation of the Community Service Officer Program in the Police Department. The three grants have been received and now require authorization for signature by the City Manager to accept the grants. Three resolutions authorizing the City Manager to sign the three grant renewals needed.)

ACTION: Res. 80-597 adopted authorizing submission of grant funded in part by the Juvenile Justice Act,
Res. 80-598 adopted authorizing submission of grant funded by Omnibus Crime Control and Safe Streets Act,
Res. 80-599 adopted authorizing submission of grant funded by Omnibus Crime Control and Safe Streets Act.

(Police to handle)

CONSENT

33. Consider joining in an amicus curiae brief in the case of Taxpayers' Association, Inc. of San Joaquin County v. San Joaquin Local Health District, et al.
(Memo with agenda. Motion authorizing participation in amicus curiae brief needed.)

ACTION: By motion, participation authorized.

(Atty. to handle)

CONSENT

34. Recommend to Council an amendment to a portion of P-D(21) - Tully Manor Investment Co. (On June 2, 1980, the Planning Commission adopted Resolution No. 80-131 recommending to the Council an amendment to a portion of P-D(21) to allow condominium conversion, property located west of Tully, both north and south of Montclair Drive. Resolution setting public hearing July 15, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-600 adopted setting hearing.

(Clerk to handle)

CONSENT

35. Recommend to Council an amendment to Section 8-3-9, Stone Bros. and Associates. (On June 2, 1980, the Planning Commission adopted Resolution No. 80-134 recommending to the Council an amendment to Section 8-3-9 of the Zoning Map to rezone from R-2 and R-3 to P-D(268) to allow conversion of an existing 62-unit, one and two-story apartment complex, property located at the southwest corner of Standiford and Colonial Drive. Resolution setting public hearing July 15, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-601 adopted setting hearing.

(Clerk to handle)

REPORTS

CONSENT

36. Presentation of Financial Statement for May, 1980.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

By motion, receipt of report acknowledged.

MISCELLANEOUS

37. Legislation

ACTION: By motion (Lang/Muratore, unan., Bright, Mayor Mensinger absent) staff to prepare an ordinance concerning item pricing and notify grocery stores that it is being proposed.

By motion (Lang/Elliott, unan., Bright, Mayor Mensinger absent) S.B. 1838 opposed.
By motion (Muratore, Lang, unan., Bright, Mayor Mensinger absent) S.B. 1505 opposed.
By motion (Elliott/Kullijian, unan., Bright, Mayor Mensinger absent) S.C.A. 39
opposed.

(Management Serv. to handle)

38. Appointments


None

39. Matters too late for the agenda

None

Adjourn at 6:10 p.m.

ATTEST:


NORRINE COYLE, City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 24 , 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Elliott, Lang, Muratore, Siefkin,

Absent: Bright, Kullijian, Mayor Mensinger

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34

Dropped from Agenda: 11, 26

- ACTION: (Lang/Muratore, unan., Bright, Kullijian, Mayor Mensinger absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the adjourned regular meeting of June 12, 1980, and the regular meeting of June 17, 1980. (Motion approving needed.)

ACTION: By motion, minutes approved. (Clerk to handle)

COMMUNICATIONS

2. Letter from Lonny G. Davis, Director of The Net, concerning expansion of the program and fund-raising possibilities.

ACTION: By motion (Lang/Muratore, unan. (Bright, Kullijian & Mayor Mensinger absent) Mr. Davis's request to conduct a door-to-door fund raising CONSENT campaign referred to staff for recommendation. (Police/Finance to handle)

3. Letter from Sanders Construction Company appealing a decision of the City staff concerning payment for moving a traffic signal at the Sisk Road and Beckwith overpass intersection. (Resolution setting hearing July 15, 1980, 4:00 p.m. needed.)

ACTION: Res. 80-602 adopted setting hearing July 15, 1980, 4:00 p.m. (Clerk to handle)

6/24/80

CONSENT

4. Letter from Thomas A. Norquist resigning from the Planning Commission effective June 16, 1980.
(Resolution accepting resignation with regret.)

ACTION: Res. 80-603 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT

5. Consider award of contract for construction of Standiford Avenue from Tully Road to McHenry Avenue - FAU Project No. F201(3).
(Bids were opened June 10, 1980 at 11:00 a.m. and the low bid of Lee White Paving which is 26% below the engineer's estimate is considered acceptable. The State (Caltrans) has reviewed the bids and authorized us to award the contract to Lee White Paving. Therefore the Public Works Department recommends that the contract be awarded to them. Resolution awarding contract to Lee White Paving needed. Estimated Cost: \$429,725.50. Funds are budgeted.)

ACTION: Res. 80-604 adopted awarding bid. (P.W. to handle)

CONSENT

6. Approval of specifications and call for bids for I Street improvement project, 6th to 9th Streets.
(Memo with agenda, D.I.D. and City Council tentatively approved this project on October 8, 1979, at an estimated cost of \$73,000. Costs now estimated at \$117,000. After bids are received, determination to be made whether project to be scaled down, City/DID to share additional cost, or both. Resolution approving specifications, and calling for bids on July 22, 1980, at 11:00 a.m. needed. Estimated Cost: \$117,000. Funds are partially budgeted.)

ACTION: Res. 80-605 adopted calling for bids. (P.W. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the construction of waterline extension at Budd and Newell.
(Suggested bid opening: July 15, 1980 at 11:00 a.m. The extension of this main will provide Mt. Vernon Plaza Subdivision with water service. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$64,104 (Contract \$50,549; Eng. \$13,555). Funds are budgeted.)

ACTION: Res. 80-606 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider award of contract for the construction of general aviation area access road, FAA ADAP #8-06-0153-07.
(Bids were opened on June 17, 1980. The low bid of \$74,146, submitted by George Reed, Inc. is 35% below the engineer's estimate and considered acceptable. It is therefore recommended by Public Works that the contract be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Estimated Cost \$77,854 (Contract \$74,146; Eng. \$3,708). Funds are budgeted.)

ACTION: Res. 80-607 adopted awarding bid. (P.W. to handle)

CONSENT

9. Consider declaring PureGro Company sole bidder and authorize the purchase of liquid anhydrous ammonia for \$198.98 per ton.
(Memorandum with agenda. One resolution awarding bid to PureGro Company needed. Estimated Cost: \$28,500. Funds are budgeted.)

ACTION: Res. 80-608 adopted awarding bid. (Finance to handle)

CONSENT

10. 1) Consider declaring Ace Wholesale the bidder offering the greatest discount for large lamps and authorize the purchase of materials for 73.6% off the suggested list price; 2) consider declaring Walkerlite Company the lowest bidder offering the greatest discount for audio-photo lamps and authorize the purchase of materials for 55.9% off the suggested list price.
(Memorandum with agenda. 1) Resolution authorizing purchase of large lamps needed; 2) Resolution authorizing purchase of audio-photo lamps needed. Estimated Cost: City portion - \$12,000. Funds are budgeted.)

ACTION: Res. 80-609 adopted awarding bid to Ace Wholesale.
Res. 80-610 adopted awarding bid to Walkerlite. (Finance to handle)

CONSENT

11. Consider declaring Quality Control Inspection low bidder and authorize the purchase of annual compaction and aggregate testing services from the firm for the prices quoted on Exhibit A with memo.
(Memorandum with agenda. Resolution authorizing purchase needed. Estimated Cost: \$12,812.50. Funds are budgeted.)

DROPPED FROM AGENDA.

CONSENT

12. Consider acceptance of L.E. McGraw Construction, Inc.'s contract for construction of Fire Station No. 8 at the Modesto City-County Airport/Harry Sham Field, FAA-ADAP #6-06-0153-06 as complete (Original contract: \$422,000).
(All work on this project has been completed except a few minor punch list items. The contractor has given us written permission to hold his 10% retention beyond the 35 day retention period if punch list items are not completed by that time. We have agreed to acceptance of the contract under this condition. Memo with agenda. Resolution accepting work as complete needed. Final Cost \$432,620.30. Funds are budgeted.)

ACTION: Res. 80-611 adopted accepting as complete. (Clerk to handle)

CONSENT

13. Consider approving payment of \$103.88 to Industrial Electrical for work done under their contract for ballpark lighting replacement Davis Park.
(This project was accepted by City Council on May 6, 1980 as complete. Industrial Electrical did additional work on this contract as authorized by Change Order No. 2. Funds are still encumbered. Memo with agenda. Resolution approving payment needed.)

ACTION: Res. 80-612 adopted approving payment. (Finance to handle)

CONSENT

14. Consider accepting the proposal submitted by Modesto Ford Tractor Company and authorizing the purchase of one backhoe trailer from the firm for the total price of \$6,971.78.
(Memorandum with agenda. Resolution accepting the bid of Modesto Ford Tractor Company and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-613 adopted awarding bid. (Finance to handle)

CONSENT

15. Consider declaring Allied Concrete and Supply lowest acceptable bidder and authorizing purchase of ready-mixed concrete at the following prices for the 1980-81 Fiscal Year: 4 sack mix - \$41.50/yd.; 5 sack mix - \$45.50/yd.; 6 sack mix - \$49.50/yd.; Cal. chloride - \$1.00/gal. Memorandum with agenda. Resolution accepting the bid of Allied Concrete and Supply needed. Estimated cost: \$11,000; funds are budgeted.)

ACTION: Res. 80-614 adopted awarding bid. (Finance to handle)

CONSENT

16. Consider declaring Manning Environmental Corporation sole bidder and authorize the purchase of one sewer monitoring station system for the total price of \$7,806.21.
(Memorandum with agenda. Resolution accepting the bid of Manning Environmental Corp. needed. Funds are budgeted.)

ACTION: Res. 80-615 adopted awarding bid. (Finance to handle)

HEARINGS

17. Hearing on 504 Transition Plan for accessibility for the Handicapped. No. 1

ACTION: Res. 80-616 (Elliot/Muratore, unan.; Bright, Kullijian & Mayor Mensinger absent) adopting the 504 Transition Plan.
By motion (Muratore/Elliott, unan.; Bright, Kullijian & Mayor Mensinger absent) letters are to be sent to legislators protesting the requirement that fixed-route buses be accessible to people in wheelchairs.
(P & T to handle)

18. Hearing on appeal by Doctors' Medical Center to a decision of the Planning Commission concerning location of a helipad. No. 2

ACTION: By motion (Lang/Muratore, unan.; Bright, Kullijian & Mayor Mensinger absent) hearing continued to July 22, 1980, 7:30 p.m.
(Clerk to handle)

By order of the Chair, Staff to provide additional information requested concerning the possibility of a traffic distraction on McHenry Avenue caused by the helicopter approach pattern, the potential for deterioration in the neighborhood, and the State law which permits emergency landings.
(Manager to handle)

19. Hearing on Unclassified Use Permit to National Medical Enterprises to permit a 24-hour child care center on East Roseburg, east of McHenry Avenue.

No. 3

ACTION: By motion (Lang/Muratore, unan., Bright, Kullijian & Mayor Mensinger absent) hearing continued to July 22, 1980, 7:30 p.m.

(Clerk to handle)

20. Hearing on amendment to P-D(68) to allow conversion to condominium property located south of Scenic Drive, east of Rose. (Oakbrook Associates)

No. 4

ACTION: By motion (Muratore/Elliott, unan., Bright, Kullijian & Mayor Mensinger absent) Ord. No. 1060-C.S. introduced.

Res. 80-617 (same vote) adopted approving development plan.

(Clerk to handle)

21. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

NONE

ORDINANCES

CONSENT

22. Final adoption of the following:

- a. Ord. No. 1957-C.S., rezoning to P-P-D(267) property east of Claus Rd, south of E. Orangeburg Avenue to allow a zero lot line patio house development. (Modesto Development)
- b. Ord. No. 1958-C.S., amending Municipal Code Sections relating to speed limits.
(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

23. Consider Code text amendment, Family Amusement Machine Centers. (Memo with agenda recommends amendment to Code text and policy to permit family amusement machine centers in conjunction with restaurants. Motion referring matter to Planning Commission for public hearing and recommendation to City Council needed.)

ACTION: By motion, proposed amendment referred to Planning Commission.

(Planning to handle)

NEW BUSINESS

CONSENT

24. Consider adoption of resolution incorporating applicable property tax allocation provisions of agreement with Stanislaus County dated February 26, 1980, to the Burbank School Governmental Reorganization. This proposed annexation consists of 7.250 acres located on the north side of Paradise Road, east of Carpenter Road. (State law requires such agreement to provide for the distribution of property tax. Resolution incorporating property tax allocation provisions needed.)

ACTION: Res. 80-618 adopted incorporating property tax allocation provisions.

(Clerk to handle)

CONSENT

25. Consider approval of the final map of Rosegate Townhouses subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Rosegate Investment Corp. (The subdivision agreement has been signed and all fees paid. Rosegate Townhouses is located at the northwest corner of Scenic Drive and Rose Avenue. It contains 1.168 acres. Resolution approving final map needed.)

ACTION: Res. 80-619 adopted approving final map.

(Clerk to handle)

CONSENT

26. Consider approval of the final map of the Vineyard No. 1 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Municipal Code. (The subdivision agreement has been signed and all fees paid. The Vineyard No. 1 subdivision is located at the northwest intersection of Standiford and Tidewater Southern Railroad. It contains 15.313 acres. Resolution approving final map needed.)

DROPPED FROM AGENDA

CONSENT

27. Consider request for sewer service to property outside City limits at 1758 Eureka Street, located on the east side of Eureka Street, between Colusa Avenue and Butte Avenue. Owner: Felisitas Baez (The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits; a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-620 adopted approving agreement.

(P.W. to handle)

CONSENT

28. Consider request for sewer service to property outside City limits at 2116 Peggy Lane, located on the south side of Peggy Lane, between Paradise Rd, and Marlow Street. Owners Harold T. and Anita E. Jones (The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits; a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-621 adopted approving agreement.

(P.W. to handle)

CONSENT

29. Recommend to Council amendments to the Standard Specifications.
(On June 16, 1980, the Planning Commission adopted Resolution 80-149 recommending to the City Council extensive amendment to update the Standard Specifications. Summary of amendments with agenda. Resolution amending Standard Specifications needed.)

ACTION: Res. 80-622 adopted amending Standard Specifications. (P.W. to handle)

CONSENT

30. Resolution approving application for funds under the Federal Land and Water Conservation Fund Program for the development of lighting in Beyer Community Park. (Competitive grants are available through this funding program for municipal parks. As Beyer Community Park meets the criteria, staff recommends application for \$140,000 for park and softball/soccer field lighting. Resolution authorizing filing of application needed.)

ACTION: Res. 80-623 adopted authorizing filing of application. (P. & R. to handle)

CONSENT

31. Establish Budget Reserves to comply with the provisions of Proposition 4, Sections 2 and 5.
(Memo with agenda. Resolution establishing reserves needed.)

ACTION: Res. 80-624 adopted establishing reserves. (Finance to handle)

CONSENT

32. Consider approval of annual claim for Local Transportation Funds.
(Each year the City makes a claim to SAAG for its apportionment of Local Transportation Funds. This is a claim for \$2,908,244. Resolution authorizing submission of the Annual Transportation Claim needed.)

ACTION: Res. 80-625 adopted authorizing submission of claim. (Finance to handle)

CONSENT

33. Consider purchase of workers compensation excess insurance.
(Memo with agenda. Resolution authorizing City Manager to sign agreement with Evanston Insurance Company (Giddings, Corby, Hynes) needed. Estimated cost: \$21,500; funds are budgeted.)

ACTION: Res. 80-626 adopted approving agreement. (Mgmt Svcs. to handle)

CONSENT

34. Consider a resolution closing the 1947 Sewer Bond Fund and transferring the balance of \$23,069.96 to the Sewer Fund.
(All outstanding bonds and interest on the 1947 Sewer Bonds have been paid. It is necessary to close out the 1947 Sewer Bond Fund and transfer the balance of \$23,069.96 to the Sewer Fund. Resolution closing 1947 Sewer Bond Fund and transferring the balance to Sewer Fund needed,)

ACTION: Res. 80-627 adopted closing 1947 Sewer Bond Fund & transferring balance.
(Finance to handle)

MISCELLANEOUS

35. Legislation

NONE

36. Appointments

NONE

37. Matters too late for the agenda

NONE

Adjourned at 8:30 p.m. to executive session to consider pending litigation and did not return to open session.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 1,

1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent:

Pledge of allegiance to the Flag

Invocation: Rev. Steven Ellis, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 12A, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39

Removed from Consent: 30

ACTION: (Lang/Muratore, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

PRESENTATION

1. Presentation by Gary Hendrickson, Manager of the Modesto Mervyn's Department Store.

ACTION: In Mr. Hendrickson's absence, Mary Grogan announced that the Dayton Hudson Foundation has given \$5,000 for restoration of McHenry Mansion. The Dayton Hudson Company operates Mervyn's Department Stores.

MINUTES

CONSENT

2. Approval of minutes of the June 24, 1980, City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved. (Clerk to handle)

COMMUNICATIONS

3. Letter from Doris L. Scanlon, Executive Director of Friends Outside, requesting assistance. Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion (Lang/Bright, unan., Mayor Mensinger absent) request for funding denied.

CONSENT

4. Letter and telegram from Ralph Shockley, Jr. giving seven days notice of termination of his agreement with the City of Modesto for construction inspection of the parking garage.

(Resolution terminating agreement needed.)

ACTION: Res. 80-628 adopted terminating agreement. (P.T. to handle)

CONSENT

5. Request by Modesto Color Camera Club for permission to use the auditorium in the basement of the McHenry Museum,
(Motion referring to staff for recommendation needed.)

ACTION: By motion, request referred to staff. (P.R. to handle)

CONSENT

6. Letter from Cecil Jarrell and George Lane requesting abandonment of a walkway between 813 and 817 Eldon Way, Modesto.
(Motion referring to Planning Commission needed.)

ACTION: By motion, request referred to Planning Commission, (Planning to handle)

BIDS

CONSENT

7. Consider approving specifications and authorize call for bids to be opened July 22, 1980, at 2:00 p.m. for furnishing four mobile radios, four portable radios, and twenty-three scanners.
(Requested by the Police Department, the mobile and portable radios will be assigned to officers and equipment involved with the Driving Under the Influence (D.U.I.) Grant. The scanners will be installed in detective cars allowing detectives to monitor other emergency radio channels. Resolution authorizing call for bids needed. Estimated cost: \$6,600 - scanners; \$14,840 - radios; funds are budgeted.)

ACTION: Res. 80-629 adopted calling for bids, (Finance to handle)

CONSENT

8. Consider award of contract for the improvement of Corporation Yard surface, north area - Block 434,
(Bids were opened on June 24, 1980. The low bid of \$6,505, submitted by The Flintkote Co. is 1% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to The Flintkote Co. needed. Funds are budgeted.)

ACTION: Res. 80-630 adopted awarding contract, (P.W. to handle)

CONSENT

9. Consider authorizing the purchase of annual dry-cell batteries from Valley Electric for 40% off list prices for Eveready batteries and 52% off list prices for Hercules batteries.
(Memorandum with agenda. Resolution awarding bid needed. Estimated City portion of cost: \$1,100; funds are budgeted.)

ACTION: Res. 80-631 adopted awarding contract, (Finance to handle)

CONSENT

10. Consider authorizing the purchase of annual liquid chlorine requirements from the All Pure Chemical Company for \$202.75 per cylindrical ton. (Memorandum with agenda. Resolution awarding bid needed. Estimated cost: \$150,200; funds are budgeted.)

ACTION: Res. 80-632 adopted awarding bid.

(Finance to handle)

CONSENT

11. Consider acceptance of the contract of Peek Bros., Inc. for sand blasting and coating of steel portions of Clarifier No. 1 at the City of Modesto Water Quality Control Plant as complete. (Original contract & final cost: \$19,900) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-633 adopted accepting contract as complete.

(Clerk to handle)

CONSENT

12. Consider acceptance of the contract of George Reed, Inc. for improvement of Orangeburg Avenue from Collier to Coffee as complete. (Original contract: \$238,819) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$252,353.60; funds are budgeted.)

ACTION: Res. 80-634 adopted accepting work as complete.

(Clerk to handle)

CONSENT

- 12A. Consider declaring Quality Control Inspection low bidder and authorize the purchase of annual compaction and aggregate testing services from the firm for the prices noted on Exhibit A, (Memorandum with agenda. Resolution awarding bid needed. Estimated cost: \$12,812.50; funds are budgeted.)

ACTION: Res. 80-635 adopted awarding bid.

(Finance to handle)

HEARINGS

13. Hearing on proposed amendments to the map of the Land Use and Circulation Elements of the Modesto Urban Area General Plan. No. 1

ACTION: By motion (Elliott/Kullijian, unan.) items 1 through 35 approved.
By motion (Elliott/Kullijian, majority, Bright and Siefkin-no) item 36 approved.
Res. 80-636 adopted (Elliott/Kullijian, unan.) amendments to the General Plan (Planning to handle) approved.

14. Informal hearing on Airport Committee's report. No. 2

ACTION: By motion (Elliott/Siefkin, unan.) Council approved the report as submitted except item 4C.

By motion (Elliott/Bright, majority, Kullijian and Lang - no) item 4C approved.
(P.W./Finance to handle)

15. Continued hearing to consider filing a federal transit operating grant application for fiscal year 1980-81 (Continued from June 17, 1980 meeting.) No. 3

ACTION: Res. 80-637 adopted (Elliott/Siefkin, unan.) authorizing filing of application.
Res. 80-638 adopted (same vote) establishing passenger fares,
Res. 80-639 adopted (same vote) establishing fares for S.O.S.P. (P.T. to handle)

16. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

17. Final adoption of Ordinance No. 1960-C.S. to allow conversion to condominium P-D(68) located at Scenic and Rose Avenue (Oakbrook Associates).
(Motion adopting needed.)

ACTION: By motion, Ord. No. 1960-C.S. adopted, (Clerk to handle)

UNFINISHED BUSINESS

18. Report on DID request for alley parking permits.
(Memo with agenda. Allowing parking in alleys is not recommended. Motion denying the request or otherwise directing the staff needed.)

Dropped from agenda at the request of Downtown Improvement District.

NEW BUSINESS

19. Consideration of additional Fire and Police staffing for 1980-81.
(Memorandum with agenda. Motion directing staff needed.)

Dropped from agenda

CONSENT

20. Resolution certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the 1980-81 payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1.
(Memo with agenda. Adoption of resolution needed.)

ACTION: Res. 80-640 adopted certifying amount of money needed. (Finance to handle)

CONSENT

21. Request from College Hi Shop for refund of overpayment of business license tax.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 80-641 adopted approving refund, (Finance to handle)

CONSENT

22. Consider amendment to City of Modesto voluntary deferred compensation plan.
(Memo with agenda. Adoption of resolution amending plan.)

ACTION: Res. 80-642 adopted amending voluntary deferred compensation plan, (Finance to handle)

CONSENT

23. Amendment to position classification plan and salary plan.
(Memo with agenda. Resolution amending position classification plan and resolution amending salary plan needed.)

ACTION: Res. 80-643 adopted amending position classification plan,
Res. 80-644 adopted amending salary plan, (Management Services to handle)

CONSENT

24. Consider authorizing the Housing Program Office to administer a City-wide emergency hazard deferred payment loan program for residences owned and occupied by senior citizens.
(Memo with agenda. This project has been approved and recommended for approval by the Housing Maintenance & Counseling Subcommittee and by the Citizens Housing and Community Development Committee. Resolution authorizing administration of program needed.)

ACTION: Res. 80-645 adopted authorizing administration of program. (Planning to handle)

CONSENT

25. Consider amending FY 1980-81 Community Development Block Grant Application to HUD in regard to boundaries of Neighborhood Improvement Area No. 3.
(Memo with agenda. The boundary amendments have been reviewed and approved by the Neighborhood Advisory Committee No. 3, the Housing Maintenance & Counseling Subcommittee and by the Citizens Housing and Community Development Committee, Resolution amending block grant application needed.)

ACTION: Res. 80-646 adopted amending block grant application. (Planning to handle)

CONSENT

26. Consider accepting additional federal transit grant.
(Memo with agenda. The City has been awarded an additional \$99,496 to cover the higher-than-expected cost of 5 new buses. Resolution accepting the grant offer and authorizing the City Manager to execute the grant contracts needed.)

ACTION: Res. 80-647 adopted accepting the grant offer. (P.T. to handle)

CONSENT

27. Consider renewal of agreement with Gates, McDonald & Company to provide workers compensation claims administration for one year effective July 1, 1980.
(Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$12,500; funds are budgeted.)

ACTION: Res. 80-648 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

28. Consider approval of storm drain agreement with Modesto Irrigation District.
(One of the City's major storm drainage problem areas is College Avenue from Bowen to Davis Park. The M.I.D. has agreed to permit the City to pump this drainage into Cavel Drains as provided in the proposed agreement. This pumping facility will be constructed in conjunction with improvement of College Avenue in this area. Resolution approving agreement needed.)

ACTION: Res. 80-649 adopted approving agreement. (P.W. to handle)

CONSENT

29. Consider approval of new lease with Southern Pacific for Parking Lot on 8th Street between I and K Streets.
(Memo with agenda. The Southern Pacific wishes to exclude the area the City currently subleases to Frontier Dodge. The lease is for one year. Resolution approving lease needed. Estimated cost: \$350/year; funds are budgeted.)

ACTION: Res. 80-650 adopted approving lease. (P.T. to handle)

30. Consider awarding a transit advertising contract to Boyle/Kilpatrick & Associates for the 1980-81 fiscal year.

(Memo with agenda. This \$30,000 contract has been recommended by the City-County Joint Transportation Committee. The existing contract for only bus advertising and promotion expires on June 30, 1980. Resolution awarding contract needed. Funds are budgeted.)

Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 80-651 adopted (Lang/Siefkin, unan., Muratore absent) awarding contract, (P,T, to handle)

CONSENT

31. Consider approving agreement with Dorothy Anne Taylor for the purchase of three lots needed for Tuolumne River Regional Park.

(Memo with agenda from Chairman of Regional Park Committee. Mrs. Taylor has agreed to sell the required three lots for the appraised value of \$69,000. The lots are located on the south bank of the Tuolumne River and are the 17th, 18th and 19th lots purchased in the area for the park. The agreement has been approved by Stanislaus County and the City of Ceres. Resolution approving agreement needed. Estimated cost: \$71,500 Total (\$69,000 Cost; \$2,500 Escrow); funds are budgeted.)

ACTION: Res. 80-652 adopted approving agreement, (P,W, to handle)

CONSENT

32. Consider approving agreement with Bruno P. and Lois Markert for the purchase of two lots needed for Tuolumne River Regional Park.

(Memo with agenda from Chairman of Regional Park Committee. The Markerts have agreed to sell the required two lots for the appraised value of \$23,000. The lots are located on the south bank of the Tuolumne River and are the 20th and 21st lots purchased in the area for the park. The agreement has been approved by Stanislaus County and the City of Ceres. Resolution approving agreement needed. Estimated cost: \$24,500 Total (\$23,000 Cost; \$1,500 Est. Escrow); funds are budgeted.)

ACTION: Res. 80-653 adopted approving agreement, (P,W, to handle)

CONSENT

33. Consider approving agreement with Zagaris Management Services, Inc. for the purchase of 5.068- acres of land needed for the Orchard Neighborhood Park site. This is one of two parcels required for the 10- acre park site.

(Zagaris Management Services has agreed to sell the required property for the appraised value of \$253,400, plus \$18,360 which is the City share of future subdivision improvements common to City's park and grantor's adjoining land. Also, the City is agreeing to put in its half of the streets common to both properties within 15 months after grantor files its subdivision map. City will also pay its share of the future storm drain line system serving both properties. Resolution approving agreement needed. Estimated cost: \$275,760 Total (\$271,760 Cost; \$4,000 Est. Escrow); funds are budgeted.)

ACTION: Res. 80-654 adopted approving agreement, (P,W, to handle)

CONSENT

34. Consider acceptance of improvements in Orangeburg Plaza subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Orangeburg Plaza Group (Orangeburg Plaza subdivision is located at the southwest corner of Claus Road and East Orangeburg Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-655 adopted accepting improvements as complete, (Clerk to handle)

CONSENT

35. Consider acceptance of improvements in Victor Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Lasater & Davis Builders, Inc. (Victor Estates subdivision is located south of Rouse Avenue and west of Sutter Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-656 adopted accepting improvements as complete, (Clerk to handle)

CONSENT

36. Consider acceptance of improvements in Gold Vineyard Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developers: Parkview I (Gold Vineyard Estates subdivision is located north of Amador Avenue and west of Seattle Street. All improvements have been completed to the satisfaction of the Public Works Department except for the storm drainage system. The cash deposit has been posted with the City Clerk to cover the cost of completion of the storm drainage system. All other fees have been paid. Letter of agreement with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-657 adopted accepting improvements as complete, (Clerk to handle)

CONSENT

37. Consider approval of the final map of the Vineyard No. 1 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Municipal Code. (The subdivision agreement has been signed and all fees paid. The Vineyard No. 1 subdivision is located at the northwest intersection of Standiford and Tidewater Southern Railroad. It contains 15,313 acres. Resolution approving final map needed.)

ACTION: Res. 80-658 adopted approving final map. (Clerk to handle)

CONSENT

38. Recommend to Council an amendment to Section 20-3-9 of the Zoning Map - Charles Duerner.

(On June 16, 1980, the Planning Commission adopted Resolution No. 80-147 recommending to the Council an amendment to Section 20-3-9 of the Zoning Map to rezone from R-1 to P-D(269) to allow a three single-family and 10 single-story condominium development, property located on the south side of West Roseburg, east of Virginia. Resolution setting public hearing on August 12, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-659 adopted setting hearing.

(Clerk to handle)

REPORTS

CONSENT

39. Update on wastewater treatment improvements,
(Report updating status of treatment plant improvement program, Also, comments on Industrial Cost Recovery Program and recommending action by the Council to urge Congress to repeal the program. Motion acknowledging receipt of report and authorizing Mayor to send letters to members of Congress needed.)

ACTION: By motion, wastewater treatment improvements updated.

(P,W, to handle)

MISCELLANEOUS

40. Legislation

ACTION: By motion (Muratore/Lang, majority, Bright-no) SCA 46 opposed,
By motion (Elliott/Lang, unan.) SB 467 opposed,
By motion (Siefkin/Muratore, unan.) SB 624 supported,
By motion (Siefkin/Elliott, unan.) SB 1428 supported.

41. Appointments

None

42. Matters too late for the agenda

None

Adjourned at 6:25 p.m. to
/ executive session to consider property acquisition and did not return to open session.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 8,

1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev, Jim Talley, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 8, 9, 10, 11,
12, 13, 14, 15, 21, 22, 25, 26, 27, 28,
29, 31, 32, 33

Removed from Consent: 3, 30

ACTION: Kullijian/Muratore, unan.

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the July 1, 1980 City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

CONSENT

2. Application from Jess Marchant, Turlock Carton Press, for a license to collect salvageable waste. August 5,
(Resolution setting hearing / 1980, 4:00 p.m. needed.)

ACTION: Res. 80-660 adopted setting hearing.

(Clerk to handle)

3. Appeal by Rule Enterprises to a decision of the Planning Commission concerning rezoning of a 1.8 acre parcel on the west side of Coffee Road south of Rumble Road from R-1 to P-D for a professional office complex.
(Resolution setting hearing August 5, 1980, 4:00 p.m. needed.)

Councilmember Kullijian excused due to a conflict of interest.

ACTION: Res. 80-661 adopted (Siefkin/Elliott, unan., Kullijian absent)

(Clerk to handle)

CONSENT

4. Appeal by Carlos Arce to a decision of the Board of Zoning Adjustment concerning placement of a 6' fence on the street right of way line at 210 Buena Vista Avenue.
(Resolution setting hearing August 5, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-662 adopted setting hearing. (Clerk to handle)

CONSENT

5. Request by attorney for Anne Graves to present a late claim concerning a stolen vehicle.
(Resolution denying request needed.)

ACTION: Res. 80-663 adopted denying request. (Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for Muncy Park landscaping and irrigation.
(This project is Phase 2 of the Muncy Park development. The suggested bid opening is July 29, 1980, at 11:05 a.m. Partial funding is by State and Federal Land & Water Conservation Funds. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$63,470 (Contract \$61,206; Eng. \$2,264); funds are budgeted.)

ACTION: Res. 80-664 adopted calling for bids. (P.W. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for improving Sunrise Avenue surfacing between Fairmont and Annabelle.
(Recent curb and gutter construction has made more work in fixing the street to match the new grades than the street crews can work into their schedule. Suggested bid opening: July 29, 1980, at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$7,437.65 (Contract \$6,918.75; Eng. \$518.90); funds are budgeted.)

ACTION: Res. 80-665 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider award of contract for construction of Tully Road at Hetch Hetchy right of way.
(Bids were opened July 1, 1980 and the low bid of \$18,120 submitted by Lee White Paving Co., is 0.14% below the engineers' estimate and therefore considered acceptable. The Public Works Department recommends award of contract to Lee White Paving. Resolution awarding contract to Lee White Paving Co. needed. Estimated cost: \$20,825 (Contract: \$18,120; Eng. \$2,705) Funds are budgeted.)

ACTION: Res. 80-666 adopted awarding contract. (P.W. to handle)

CONSENT

9. Consider award of contract for heater remix and slurry seal 1980-81.
(Bid opening July 1, 1980. The low bid of \$97,751.98 submitted by Valley Slurry Seal Company is 14% below the engineers' estimate and is considered acceptable. The Public Works Department recommends awarding the contract to Valley Slurry Seal Company. Resolution awarding contract to Valley Slurry Seal Company needed. Estimated Cost: \$111,280.58 (\$97,751.98 - Contract; \$13,528.60- Eng.) Funds are budgeted.)

ACTION: Res. 80-667 adopted awarding contract. (P.W. to handle)

CONSENT

10. Consider award of contract for slurry seal program 1980-81.
(Bids were opened July 1, 1980 and the low bid of \$42,184.51 submitted by Valley Slurry Seal Company is 33.2% below the engineers' estimate and is considered acceptable. The Public Works Department recommends awarding the contract to Valley Slurry Seal Company. Resolution awarding contract to Valley Slurry Seal Company needed. Estimated Cost: \$46,921.62 (Contract: \$42,184.51; Eng. \$4,737.11) Funds are budgeted.)

ACTION: Res. 80-668 adopted awarding contract. (P.W. to handle)

CONSENT

11. Consider award of contract for Morris Avenue reconstruction from McHenry Avenue to Ramona Avenue including Morris/Sycamore revision.
(Bids were opened July 1, 1980 and the low bid submitted by George Reed, Inc., \$89,929.00 is 35.4% below the engineers' estimate and is considered acceptable. The Public Works Department therefore recommends award of contract to them. Resolution awarding the contract to George Reed, Inc. needed. Estimated Cost: \$108,619.50 (Contract: \$89,929.00; Eng. & Contg. \$18,690.50) Funds are budgeted.)

ACTION: Res. 80-669 adopted awarding contract. (P.W. to handle)

CONSENT

12. Consider acceptance of Osterberg and Stewart's contract for drilling, casing, testing and development of one deep well for the City of Modesto - Well No. 44 as complete. (Original Contract: \$16,470.70).
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with Agenda. Resolution accepting work as complete needed. Final Cost: \$18,123.20. Funds are budgeted.)

ACTION: Res. 80-670 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of The Flintkote Company's contract for construction of Conant Avenue and Lateral No. 7 canal crossing as complete. (Original contract: \$151,213)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete. Final cost: \$151,511.88; funds are budgeted.)

ACTION: Res. 80-671 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider waiving formal bids and issuing a purchase order of \$7,500 to Modesto Sand and Gravel, Inc., to remove the floating roofs from the two 60' diameter digesters at the Water Quality control Plant.
(Both floating roofs are not functioning properly and must be removed to enable use of the digesters by July 15, 1980 for the cannery season. Memo with agenda. Resolution waiving formal bids and authorizing issuance of a purchase order to Modesto Sand and Gravel, Inc. needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 80-672 adopted waiving formal bids and authorizing issuance of a purchase order. (P.W./Finance to handle)

CONSENT

15. Consider amending Resolution 80-142 to exclude trading in a 1964 ½-ton pickup with paint body and compressor to Best Chevrolet and increase the purchase price of the new paint truck to \$21,078.34 (increase of \$850).
(The Service Division will use the paint compressor for service calls on flat tires on heavy equipment. The 1964 pickup truck cab and chassis will be retained and sold at a public auction. Resolution amending Resolution 80-142 to exclude trade-in and increase purchase price needed. Estimated cost: \$21,078.34; funds are budgeted.)

ACTION: Res. 80-673 adopted amending Res. No. 80-142. (Finance to handle)

HEARINGS

16. Hearing on annexation of Carpenter Road No. 2 Annexation No. 1

ACTION: Res. 80-674 adopted (Lang/Elliott, unan.) annexing. (Clerk to handle)

17. Hearing on appeal by nine citizens to a Board of Zoning Adjustment decision concerning an application by Calvin D. Henne for an H-1 use permit for a Family Amusement Center at 3300 McHenry Avenue No. 2

ACTION: Res. 80-675 adopted (Lang/Kullijian, unan.) granting the appeal and overruling the decision of the Board of Zoning Adjustment. (Clerk to handle)

18. Hearing on abandonment of approximately 100 feet of the 20-foot public alley in Block 68 bounded by 10th, 11th, I and J Streets (Bank of America). No. 3

ACTION: Res. 80-676 adopted (Elliott/Siefkin, unan.) abandoning alley. (Clerk/P.W. to handle)

19. Informal hearing to consider Yosemite and Lakewood sewer trunks for possible advisory election. No. 4

ACTION: By motion (Elliott/Siefkin, unan.) measure will not be placed on the November, 1980 ballot for Yosemite nor Lakewood sewer trunks and staff directed to place this matter on the Council agenda in time to consider putting a measure on the March, 1981 ballot. (Planning/Clerk to handle)

20. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

21. (a) Consider regular ordinance amending Section 3-4.02 of the Modesto Municipal Code relating to emergency service regulations.
(b) Adoption of emergency ordinance amending Section 3-4.02 of the Modesto Municipal Code relating to emergency service regulations.
(Memorandum of explanation with agenda. Introduction of regular ordinance and adoption of emergency ordinance needed.)

ACTION: By motion, Ord. No. 1961-C.S. introduced relating to emergency service regulations
By motion, Ord. No. 1962-C.S. adopted relating to emergency service regulations.
(Clerk to handle)

CONSENT

22. Consider adoption of Flood Damage Prevention Ordinance.
(This ordinance would adopt Federal Flood Insurance Rate Maps prepared by Federal Insurance Administration and maintain the City's eligibility to participate in various HUD programs. Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 1963-C.S. introduced. (Clerk to handle)

NEW BUSINESS

23. Consideration of additional Fire and Police staffing for 1980-81.
(Memorandum with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Bright, unan.) additional Police staffing as recommended approved.

By motion (Lang/Bright, majority, Muratore, Siefkin, Mayor Mensinger - no) additional Fire staffing approved on the basis of six additional positions this year and six additional positions next year.

Res. 80-677 adopted (Lang/Bright, unan.) approving appropriation transfer to cover costs of additional staffing for the Police Department.

Res. 80-678 adopted (Lang/Bright, majority, Muratore, Siefkin, Mayor Mensinger - no) approving appropriation transfer to cover costs of additional staffing for the Fire Department.

24. Discussion regarding the policy of closing streets intersecting lower McHenry on Friday and Saturday nights.
(Memorandum with agenda.)

ACTION: By motion (Lang/Kullijian, unan.) practice of barricading streets along lower McHenry to be continued.
By motion (Kullijian/Bright, unan.) staff to investigate requests from residents on Griswold and Helen Ave. to close those streets and present a recommendation to
(Mgr. to handle)

CONSENT

25. Consider setting fees for fingerprinting service.
(Memo with agenda. Resolution establishing fees for fingerprinting needed.)

ACTION: Res. 80-679 adopted establishing fees. (Police to handle)

CONSENT

26. Consider adopting two resolutions authorizing the Chief of Police to sign agreements for the California Law Enforcement Mutual Aid Radio System and F.C.C. license applications.
(Memo with agenda. Two resolutions approving the CLEMARS agreement and the F.C.C. license applications needed.)

ACTION: Res. 80-680 adopted approving application to obtain California Law Enforcement Mutual Aid Radio System (CLEMARS) Service.

Res. 80-681 adopted approving application for FCC licenses for CLEMARS frequencies.
(Police to handle)

CONSENT

27. Consider request for sewer service to property outside City limits at 2110 Peggy Lane, located on the south side of Peggy Lane between Marlow Street and Paradise Road. Owners: Harold T. and Anita E. Jones
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-682 adopted approving agreement, (P.W. to handle)

CONSENT

28. Consider agreement with National Advertising Company to remove outdoor advertising display from Phase I - Kansas-Needham project area.
(National Advertising has agreed to remove its outdoor advertising display for the appraised value of \$4,090. This is the last right of way obstacle for this phase of project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-683 adopted approving agreement. (P.W. to handle)

CONSENT

29. Consider deeding two right of way parcels to the State Department of Transportation. The parcels are located on State Highway 132 (Yosemite Blvd.) at Lincoln Avenue.
(The State Department of Transportation has a project planned to improve the intersection of Highway 132 (Yosemite Blvd.) and Lincoln Avenue. They have requested that the City deed them the needed right of way in the State Highway so they can proceed with their project. Resolution authorizing the Mayor to sign a Grant Deed needed.)

ACTION: Res. 80-684 adopted authorizing the Mayor to sign a Grant Deed. (P.W./Clerk to handle)

30. Consider approval of final map of Cedar Brook No. 1 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Cedar Brook Development Co. (This subdivision agreement has been signed and all fees paid, Cedar Brook No. 1 is north of Scenic and west of Claus. It contains 5.736 acres. Resolution approving final map needed.)

ACTION: By motion (Muratore/Bright, unan.) this item continued to the July 15, 1980 Council meeting. (Clerk to handle)

CONSENT

31. Consider purchase of Real and Personal Property Insurance for City-owned property.
(Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$19,446; funds are budgeted.)

ACTION: Res. 80-685 adopted approving agreement. (Mgmt. Serv. to handle)

CONSENT

32. Consider approval of integrated pest management agreement.
(The Department of Parks and Recreation staff recommends that the fifth year of research be undertaken to control, with minimal use of chemical insecticides, insect pests on ornamental trees. The John Muir Institute for Environmental Studies, Inc., is recommended for continuation of this research for the City. Resolution approving agreement needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: Res. 80-686 adopted approving agreement. (P.R. to handle)

CONSENT

33. Consider authorizing the City Manager to sign a letter agreement with the Modesto Bee to print and publish the official advertising for a one-year period ending June 30, 1981.
(Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$16,500; funds are budgeted.)

ACTION: Res. 80-687 adopted approving agreement. (Clerk to handle)

REPORTS

34. Report on financial institutions in the P-0 zone.
(A staff report, "Financial Institutions in the P-0 Zone," recommends that the P-0 zone not be amended to permit financial institutions, but that the City Council consider a P-D policy wherein financial institutions would be considered adjacent to a regional or community shopping center. Motion directing staff needed.)

ACTION: By motion (Siefkin/Kullijian, unan.) this item to be continued to an afternoon meeting in the near future. (By order of the Chair, continued to July 15, 1980, at 4:00 p.m.) (Clerk to handle)

MISCELLANEOUS

35. Legislation

ACTION: By motion (Lang/Elliott, unan.) AB 2392 opposed.
By motion (Lang/Siefkin, unan.) SB 1660 supported.
By motion (Lang/Siefkin, unan.) SB 375 supported with amendments. (Mgmt. Services to handle)

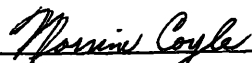
36. Appointments

None

37. Matters too late for the agenda

None

Adjourned at 11:30 p.m. to Tuesday, July 15, 1980, 2:30 p.m., in the City Hall Lobby for a tour of the Communications Center.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
July 15, 1980

The Council of the City of Modesto met pursuant to adjournment at 2:30 p.m. in the Lobby, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Lang, Muratore,
Mayor Mensinger

Absent: Councilmembers Elliott, Kullijian, Siefkin

The Council toured the Communications Center located in the Stanislaus County Administration Building.

The meeting adjourned at 3:17 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 15

1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Bill Beck, Heifer Project International

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 10,
Removed from Consent: 2 11, 12, 13, 14, 15, 16, 17, 18,
Dropped from Agenda: 37 20, 25, 26, 27, 31, 32, 33, 34, 35,
36, 38, 39, 40, 41, 42, 43, 44

ACTION: (Siefkin/Elliott, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the regular Council meeting of July 8, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

2. Request by Charles O'Brien, Modesto Community Hospice, for Police assistance with a benefit run on August 10, 1980.
(Motion referring to staff for recommendation needed.)

ACTION: By motion (Siefkin/Muratore, majority, Elliott-no) request approved at City expense but no further requests for free Police service will be approved until a CONSENT Council policy is established within the next six weeks.(Mgr. to handle)

3. Request by Downtown Improvement District to hold sidewalk sale on July 16-19, 1980.
(Motion approving request needed.)

ACTION: By motion, request approved.

(Planning to handle)

CONSENT

4. Appeal by Warner M. Soelling, M.D. to a decision of the Planning Commission concerning zoning of his property on Oakdale Road south of Briggsmore.
(Resolution setting hearing August 12, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-688 adopted setting hearing.

(Clerk to handle)

CONSENT

5. Appeal by Airport Assembly of God to a decision of the Board of Zoning Adjustment concerning a conditional use permit for a church and child care center between Encina and Roble west of Fortuna.
(Resolution setting hearing August 12, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-689 adopted setting hearing.

(Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the landscaping of the Wastewater Treatment Plant.
(Suggested bid opening: August 5, 1980 at 11:00 a.m. This project will provide landscaping and irrigation at the entrance to the City of Modesto Water Quality Control Plant. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$8,221 (\$7,011 Contract; \$1,210 Eng. & Cont.). Funds are budgeted.

ACTION: Res. 80-690 adopted calling for bids.

(P.W. to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened August 5, 1980, at 2:00 p.m., for furnishing one (1) claw loader.
(Requested by the Public Works Department, the loader will be used with a packer truck to collect garden refuse from streets and alleys. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$35,000. Funds are budgeted.)

ACTION: Res. 80-691 adopted calling for bids.

(Finance to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the construction of waterline extension at Pelandale and Dale.
(Suggested bid opening: August 5, 1980 at 11:05 a.m. The extension of this water main will provide Oakwood Park Subdivision with water and fire service. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$49,807 (\$44,370 Contract; \$5,437 Eng. & Cont.). Funds are budgeted.)

ACTION: Res. 80-692 adopted calling for bids.

(P.W. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for the construction of waterline extension in Woodland Avenue.
(Suggested bid opening: August 5, 1980 at 11:10 a.m. The residents in this area are experiencing extremely low water pressure. The extension of this line will strengthen the water system and provide the area residents with better water pressure. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$34,065 (\$29,150 Contract; \$4,915 Eng. and Cont.) Funds are budgeted.

ACTION: Res. 80-693 adopted calling for bids.

(P.W. to handle)

CONSENT

10. Consider award of contract for the construction of waterline extension at Prescott and Snyder.
(Bids were opened on July 8, 1980. The low bid of \$13,126.50, submitted by Joe Martin Pipeline, Inc. is 18% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 80-694 adopted awarding contract.

(P.W. to handle)

CONSENT

11. Consider acceptance of Joe Martin Pipeline, Inc's contract for construction of waterline extension in Yosemite Boulevard. (Original contract: \$5,224.30). (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$5,345.00. Funds are budgeted.)

ACTION: Res. 80-695 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider award of contract for resurfacing City streets 1980-81. (Bids were opened July 8, 1980 and the low bid of \$155,565.20 submitted by The Flintkote Company is 34.2% below the Engineers' estimate and is considered acceptable. Therefore, the Public Works Department recommends awarding the contract to The Flintkote Company. Resolution awarding the contract to The Flintkote Company needed. Estimated Cost \$179,216.50 (Contr. \$155,565.20; Eng. \$23,651.30). Funds are budgeted.)

ACTION: Res. 80-696 adopted awarding bid. (P.W. to handle)

CONSENT

13. Consider award of contract for street light modernization - Old Town Modesto. (The bids were opened on July 8, 1980 and the low bid of \$147,318 submitted by Ferrero Electric, Inc. is 10.2% below the Engineers' estimate and is considered acceptable. The Public Works Department therefore recommends awarding the contract to Ferrero Electric. Resolution awarding contract to Ferrero Electric, Inc. needed. Estimated Cost: \$158,402 (Contr. \$147,318; Eng. & Cont. & M.I.D. \$11,084). Funds are budgeted.)

ACTION: Res. 80-697 adopted awarding contract. (P.W. to handle)

CONSENT

14. Consider award of contract for reconstruction of Dale Road: Vintage Faire to Snyder Avenue. (Bids were opened on July 8, 1980 and the low bid of \$48,778 submitted by George Reed Inc. is 41.6% below the Engineers' estimate and is considered acceptable. The Public Works Department therefore recommends awarding the contract to George Reed, Inc. Resolution awarding contract to George Reed Inc. needed. Estimated Cost: \$58,778 (Contr. \$48,778; Eng. \$10,000). Funds are budgeted.)

ACTION: Res. 80-698 adopted awarding contract. (P.W. to handle)

CONSENT

15. Consider award of contract for street light modernization - Brighton Avenue, Kruger Avenue to Wylie Drive. (Bids were opened on July 8, 1980 and the low bid of \$5,540 submitted by Ferrero Electric is 49.6% below the Engineers' estimate and is considered acceptable. The Public Works Department therefore recommends the contract be awarded to Ferrero Electric. Resolution awarding the contract to Ferrero Electric needed. Estimated Cost: \$6,700 (Contr. \$5,540; Eng. \$1,160). Funds are budgeted.)

ACTION: Res. 80-699 adopted awarding contract. (P.W. to handle)

CONSENT

16. Consider awarding contract for improvement of California and Carpenter.
(Bids were opened July 8, 1980 and the low bid of \$14,656 submitted by Lee White Paving Company is 16% above the Engineers' estimate and considered acceptable. It is therefore recommended by the Public Works Department to award the contract to them. Resolution awarding contract to Lee White Paving Company needed. Estimated Cost: \$16,231 (Contr: \$14,656; Eng. \$1,375). Funds are budgeted.)

ACTION: Res. 80-700 adopted awarding contract. (P.W. to handle)

CONSENT

17. Consider approving specifications and authorize call for bids to be opened August 12, 1980, at 2:00 p.m., for furnishing replacement fire hose.
(Requested by the Fire Department, the fire hose will replace damaged, worn, or obsolete fire hose presently on hand. Resolution authorizing call for bids needed. Estimated Cost: \$14,000. Funds are budgeted.)

ACTION: Res. 80-701 adopted calling for bids. (Finance to handle)

CONSENT

18. Consider authorizing the purchase of one reader-printer and four readers from the 3M Business Products Company for the total purchase price of \$10,399.46.
(Memorandum with agenda. Resolution authorizing purchase of equipment needed. Estimated Cost: \$10,399.46. Funds are budgeted.)

ACTION: Res. 80-702 adopted authorizing purchase. (Finance to handle)

CONSENT

20. Consider waiving formal bid procedures by five (5) affirmative votes and authorize the purchase of materials and services from Delta Steel to repair the Ninth Street Bridge for the total price of \$5,510.
(Memorandum with agenda. Resolution waiving formal bids and authorizing purchase needed. Estimated Cost: \$5,510. Funds are budgeted.)

ACTION: Res. 80-703 adopted waiving formal bids. (Finance to handle)

HEARINGS

21. Hearing on amendment to a portion of P-D(21) to allow condominium conversion, property located west of Tully, both north and south of Montclair Drive (Tully Manor Investment Co.) No. 1

ACTION: By motion (Elliott/Kullijian, unan.) Ord. No. 1964-C.S. introduced amending portion of P-D(21).

Res. 80-704 adopted (same vote) amending portion of P-D(21). (Clerk to handle)

22. Hearing on amendment to Section 8-3-9 of the Zoning Map to rezone from R-2 and R-3 to P-D(268) to allow conversion of an existing 62-unit, one and two-story apartment complex, property located at the southwest corner of Standiford and Colonial Drive (Stone Bros. and Associates) No. 2

ACTION: By motion (Kullijian/Elliott, unan.) Ord. No. 1965-C.S. introduced amending Section 8-3-9.

Res. 80-705 adopted (same vote) approving development plan.

Res. 80-706 adopted (same vote) certifying review of Environmental Impact Report.
(Clerk to handle)

23. Hearing on appeal to staff decision concerning relocation of the traffic signal at the southwest corner of Sisk Road and Beckwith overpass. No. 3
(Sanders Construction Co.)

ACTION: By motion (Kullijian/Elliott, unan.) receipt of the withdrawal of the appeal acknowledged.

24. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

ACTION: Res. 80-707 adopted (Siefkin/Lang, unan.) setting public hearing on July 29, 1980, 7:30 p.m. to consider amendments to the City of Modesto Charter.
(Clerk to handle)

ORDINANCES

CONSENT

25. Final adoption of the following:

- a. Ordinance No. 1961-C.S. amending the Modesto Municipal Code section relating to emergency services.
- b. Ordinance No. 1963-C.S. adding Chapter 4 to Title IX of the Modesto Municipal Code relating to flood damage prevention.
(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

CONSENT

26. Introduction of ordinances to adopt 1979 editions of Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, Uniform Housing Code, and 1978 edition of National Electrical Code.
(Memo with agenda. Introduction of five ordinances needed.)

ACTION: By motion, Ord. No. 1966-C.S. introduced adopting 1979 Uniform Building Code.
By motion, Ord. No. 1967-C.S. introduced adopting 1979 Uniform Plumbing Code.
By motion, Ord. No. 1968-C.S. introduced adopting 1979 Uniform Mechanical Code.
By motion, Ord. No. 1969-C.S. introduced adopting 1979 Uniform Housing Code.
By motion, Ord. No. 1970-C.S. introduced adopting 1978 edition of National Electrical Code. (Clerk to handle)

CONSENT

27. Consider amendment to Municipal Code section covering water rules and regulations. (The amendment would eliminate the requirement for the installation of a check valve and by-pass meter assembly on independent fire sprinkler systems and private fire hydrant systems. Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 1971-C.S. introduced amending Municipal Code section covering water rules and regulations. (Clerk to handle)

28. Adoption of 1979 Uniform Fire Code with amendments, including sprinkler requirements. Memo with agenda. Introduction of ordinance needed.)

ACTION: A motion to approve the proposed requirements was withdrawn.

By motion (Muratore/Kullijian, unan.) a decision was delayed on the sprinkler requirements until downtown merchants groups and other groups have an opportunity to study the proposal and react to it. (Fire to handle)

UNFINISHED BUSINESS

29. Further consideration of request of Alan Koff to allow an existing fence to remain three feet within an alley right of way. (On 3/4/80 Council considered this request and directed staff to investigate abandonment of alley. On June 17, 1980, this item was continued to July 15, 1980 to allow Mr. Koff to contact commercial property owners. Motion directing staff needed.)
Councilmember Siefkin excused due to a conflict of interest.

ACTION: Res. 80-708 adopted (Lang/Muratore, majority, Elliott, Kullijian - no) approving encroachment permit. (Atty. to handle)

30. Further consideration of financial institutions in the P-0 zone. (A staff report, "Financial Institutions in the P-0 Zone," recommends that the P-0 zone not be amended to permit financial institutions, but that the City Council consider a P-D policy wherein financial institutions would be considered adjacent to a regional or community shopping center. Motion directing staff needed.) (Continued from July 8, 1980, Council meeting.)

ACTION: By motion (Siefkin/Bright, unan.) this item continued to August 19, 1980, 4:00 p.m. (Clerk to handle)

CONSENT

31. Further consideration of final map of Cedar Brook No. 1 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Cedar Brook Development Co. (This subdivision agreement has been signed and all fees paid. Cedar Brook No. 1 is north of Scenic and west of Claus. It contains 5.736 acres. Resolution approving final map needed.) (Continued from July 8, 1980 Council meeting.)

ACTION: Res. 80-709 adopted approving final map. (Clerk to handle)

NEW BUSINESS

CONSENT

32. Consider setting public hearing to consider rate increase for CATV service in Modesto.
(Memo with agenda. Resolution setting public hearing on August 5, 1980 at 4:00 p.m. needed.)

ACTION: Res. 80-710 adopted setting public hearing. (Clerk to handle)

CONSENT

33. Consider authorizing an additional \$9,490 payment to GMC for five new buses and the filing of a grant amendment to cover 80% of the cost.
(Memo with agenda. Federal bus specifications provide for a \$1.00 per pound weight incentive for bus manufacturers. All five of our new buses were made below the federal maximum curb weight of 26,450 pounds. Resolution authorizing the filing of grant amendment and resolution approving appropriation transfer needed.)

ACTION: Res. 80-711 adopted authorizing the filing of grant amendment.
Res. 80-712 adopted approving appropriation transfer. (P.T./Finance to handle)

CONSENT

34. Consider approval of submission of application for grant funds from Airport Development Aid Program (ADAP) for construction of (1) terminal access road and (2) expansion of terminal transient aircraft parking apron at Modesto City-County Airport.
(A preapplication for ADAP funding on this project was submitted in March of this year. We have now completed plans and specifications for the project, and it is in order to submit a formal application for grant funds. The total project cost is estimated at \$260,000, with the Federal share being 90%, or \$234,000. Memo with agenda. Resolution approving grant application needed.)

ACTION: Res. 80-713 adopted approving grant application. (P.W. to handle)

CONSENT

35. Consider acceptance of improvements in Dutchollow No. 1 subdivision as complete and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Paul M. & Liberty M. Zagaris) (Dutchollow No. 1 subdivision is located south of Snyder Avenue and east of Dale Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-714 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

36. Consider certifying right of way for Kansas-Needham connection, Phase I, which is widening Needham between P Street and the center line of 9th Street. (The Certification of Right of Way is required on federally funded projects. It is the method by which the City can assure the Federal Government that all applicable Federal laws and regulations are being observed in the acquisition of right of way and that the right of way is acquired and ready for construction. Resolution approving certification needed.)

ACTION: Res. 80-715 adopted approving certification. (P.W. to handle)

CONSENT

37. Consider approval of the final map of Woodglen Park No. 3 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Joaquin Construction Co. (The subdivision agreement has been signed and all fees paid. Woodglen Park No. 3 is located west of Dale Road and south of Snyder Avenue. It contains 20.589 acres. Resolution approving final map needed.)

DROPPED FROM AGENDA.

CONSENT

38. Consider lease agreement with Foster Farms, Inc. for a ground lease on the north side of the Airport adjacent to Mitchell Road to be used for construction of a corporate hangar. (This lease is essentially the same as the Snider, et al. lease, i.e., 20 year term, \$3,100/acre, improvements to become City's at end of term, etc. The location is as suggested by the Airport Master Plan. Resolution approving agreement needed.)

ACTION: Res. 80-716 adopted approving agreement. (P.W. to handle)

CONSENT

39. Consider approving agreement with Charles L. Hayden and Ann B. Hayden for the acquisition of 975⁺ s.f. of their property needed for the Sidewalk - Sunrise/Lucern to Norwegian project. (The Haydens have agreed to sell the required right of way for the appraised value of \$2,395. This is the 12th of 12 parcels required for this phase of the project - Roseburg to Orangeburg. Mr. Hayden is a City employee in the Public Works Department. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-717 adopted approving agreement. (P.W. to handle)

CONSENT

40. Hire Construction Inspector for Eleventh Street Parking Garage.
(Since the resignation of the previous Construction Inspector we have been able to maintain inspection with City staff. With construction progress accelerating we again need a full-time inspector. Resolution authorizing execution of agreement needed. Estimated cost: \$30,000; funds are budgeted.)

ACTION: Res. 80-718 adopted authorizing execution of agreement. (P.T. to handle)

CONSENT

41. Consider a resolution establishing new charges and fees for services for hangars, T-hangars, tie-down, fuel flowage fees, etc. at Modesto City-County Airport/ Harry Sham Field.
(The City Council considered Council Committee report concerning fees and charges at the Airport. A motion was passed directing staff to prepare the necessary resolution to implement the revision of fees and charges contained in the Council Committee report. A copy of fees schedule resolution with agenda. Resolution establishing revised fees schedule needed.)

ACTION: Res. 80-719 adopted establishing revised fee schedule. (P.W. to handle)

CONSENT

42. Recommend to Council an amendment to Section 10-2.3510(a)(2) of the Modesto Municipal Code - Shopping Center Identification Signs.
(On June 16, 1980, the Planning Commission adopted Resolution 80-150 recommending to the City Council an amendment to Section 2.3510(a)(2) of the Modesto Municipal Code pertaining to signs for shopping center identification. Resolution setting public hearing August 19, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-720 adopted setting public hearing. (Clerk to handle)

CONSENT

43. Set date for informal public hearing to consider adoption of a Zoning and Development Plan for the Sunnyside-Brighton Area.
(The Planning Commission has held an informal public hearing on this area and is recommending adoption of the plan. Resolution setting informal public hearing on August 26, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-721 adopted setting informal public hearing. (Clerk to handle)

CONSENT

44. Notice of Pacific Telephone's PUC application regarding residence service collections.
(Memo with agenda. The application is to obtain authority to establish credit rules to make it easier for responsible people but reduce possible losses on bad risks. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

45. Legislation

None

46. Appointments

None

47. Matters too late for the agenda

None

Adjourned at 5:50 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 22, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. George Telle, Trinity Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 14,
Removed from Consent: 14A 15, 16, 17, 18, 19, 21, 22

Dropped from Agenda: 20

ACTION: Lang/Siefkin, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the July 15, 1980, regular City Council meeting and the July 15, 1980, adjourned regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

CONSENT

2. Letters from the D.I.D. requesting permission to block off parking spaces in front of the Courthouse on I Street between 11th and 12th Streets, and on 11th and 12th Streets from I to the crosswalks, requesting free bus service to Downtown Modesto, and requesting that there be no time limit for on-street parking from 9:30 a.m. to 5:30 p.m. on Friday, August 15, for Modesto's 110th Birthday Celebration.
(Motion approving request needed.)

ACTION: By motion, request approved.

(Planning to handle)

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for Rose-Davis-Downey parking lots landscaping and irrigation.
(Suggested bid opening date: August 12, 1980 at 11:05 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$13,200. (Contr. \$11,950; Engr.& Contg. \$1,250). Funds are budgeted.

ACTION: Res. 80-722 adopted calling for bids. (P.W. to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for Briggsmore/Rose landscaping and irrigation.
(This project is on M.I.D. right of way and has been approved by them. Suggested bid opening date: August 12, 1980 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$19,000 (Contr. \$16,945; Engr. & Contg. \$2,055). Funds are budgeted.)

ACTION: Res. 80-723 adopted calling for bids. (P.W. to handle)

CONSENT

5. Consider award of contract for the construction of waterline extension at Budd and Newell.
(Bids were opened on July 15, 1980. The low bid of \$42,746, submitted by Western Pipeline Co., Inc. is 15% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Western Pipeline Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 80-724 adopted awarding contract. (P.W. to handle)

CONSENT

6. Consider bids for contract for McHenry Museum heating, ventilating, air conditioning and lighting.
(Low bid is 29% above engineers' estimate. Recommend bids be rejected, project be redesigned, bid sheet form revised. Memo with agenda. Resolution rejecting all bids needed.)

ACTION: Res. 80-725 adopted rejecting bids. (P.W. to handle)

CONSENT

7. Consider acceptance of Joe Martin Pipeline, Inc's contract for construction of storm drainage facility - Tully-Briggsmore-Winning area as complete. (Original contract: \$48,616.50)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$58,676.01 Funds are budgeted.)

ACTION: Res. 80-726 adopted accepting work as complete. (Clerk to handle)

CONSENT

- 8. Consider accepting five new GMC buses and making final payment of \$287,638.24. (Memo with agenda. GMC has fulfilled its contract to supply the City with the new buses 4 months early. An UMTA grant will reimburse the City 80% (\$563,888.48) of the total bus order cost (\$704,860.60). This is the last progress payment. Resolution accepting the five new buses and authorizing final payment to GMC needed. Funds are budgeted.)

ACTION: Res. 80-727 adopted accepting new buses and authorizing final payment. (P.T. to handle)

CONSENT

- 9. Consider waiving formal bid procedures and authorize the purchase of two 6 inch compound water meters from Hersey Products, Inc. for the total purchase price of \$7,740.12. (Memorandum with agenda. Resolution authorizing purchase of material needed. Funds are budgeted.)

ACTION: Res. 80-728 adopted authorizing purchase of material. (Finance to handle)

CONSENT

- 10. Consider waiving formal bid procedures by five affirmative votes and authorizing the purchase of four Police patrol cars through the State of California, Department of General Services for the total purchase price of \$28,893.40. (Memorandum with agenda. Resolution authorizing purchase of patrol cars needed. Funds are budgeted.)

ACTION: Res. 80-729 adopted authorizing purchase. (Finance to handle)

HEARINGS

- 11. Continued hearing on appeal by Doctors' Medical Center to a decision of the Planning Commission concerning location of a helipad. No. 1
(Continued from June 24, 1980 meeting.) Mayor Mensinger excused due to a conflict of interest.
Mayor Mensinger absent)

ACTION: By motion (Muratore/Lang, unan./ Mayor Mensinger absent) Council determined the hearing would be limited to 45 minutes for each side, including rebuttal time for each side.

By motion (Muratore/Kullijian, unan., Mayor Mensinger absent) Council indicated its intention to approve the unclassified use permit for a helipad with conditions stated to be drawn up by staff and presented for Council consideration. (Atty. to handle)

- 12. Continued hearing on Unclassified Use Permit to National Medical Enterprises to permit a 24-hour child care center on East Roseburg, east of McHenry Avenue. No. 2
(Continued from June 24, 1980 meeting.)

Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 80-730 adopted (Lang/Kullijian, majority, Elliott, Acting Mayor Siefkin-no, Mayor Mensinger absent) approving unclassified use permit. (Planning to handle)

13. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

14. Final adoption of:

- a. Ord. No. 1965-C.S. rezoning from R-2 and R-3 to P-D(268) to allow conversion to condominium a 62-unit apartment complex on Standiford and Colonial Drive. (Stone Bros. & Associates)
- b. Ord. No. 1967-C.S. adopting the 1979 edition of the Uniform Plumbing Code.
- c. Ord. No. 1968-C.S. adopting the 1979 edition of the Uniform Mechanical Code.
- d. Ord. No. 1969-C.S. adopting the 1979 edition of the Uniform Housing Code.
- e. Ord. No. 1970-C.S. adopting the 1978 edition of the National Electrical Code.
- f. Ord. No. 1971-C.S. amending the Municipal Code section covering water rules and regulations.

(Motion approving needed.)

ACTION: By motion, ordinances adopted. _____ (Clerk to handle)

UNFINISHED BUSINESS

- 14A. Consider approving a request from the Modesto Civic Theatre to close Sycamore and Park Avenues during the "Shakespeare in the Park" performances.
(Memo with agenda. Motion approving needed.)

ACTION: By motion (Lang/Stefkin, unan.) request approved, _____ (Police to handle)

NEW BUSINESS

CONSENT

15. Certification of the canvass of returns of the June 3, 1980, North Airport and Butte-Glenn Annexation elections.
(Memo with agenda. Two resolutions confirming the canvass needed.)

ACTION: Res. 80-731 adopted determining result of election held in North Airport Annexation.
Res. 80-732 adopted confirming annexation after election of North Airport Annexation.
Res. 80-733 adopted determining result of election held in Butte Glenn Annexation.
Res. 80-734 adopted terminating annexation proceedings after election of Butte-Glenn Annexation. (Clerk to handle)

CONSENT

16. Consider approving a one-month rental agreement with Jim Reeves dba Scenic Shell for lease of a portion of the old corporation yard for wrecked vehicle storage.
(Jim Reeves has been subleasing a portion of the old corporation yard (8th & K) for vehicle storage from the City's lessee, Chuck Delaire. Mr. Delaire's lease will terminate effective July 23, 1980. This rental agreement is to accommodate Mr. Reeves while he finds a replacement property. Rent is \$200 per month and lease expires August 23, 1980. Resolution approving lease agreement needed.)

ACTION: Res. 80-735 adopted approving lease agreement. (P.W. to handle)

CONSENT

17. Consider approving renewal of lease agreement with E. Dwain Robertson for renewal of lease for the former Bomberger house located on future Dry Creek Park area.
(This is a month-to-month tenancy. The rent has been increased from \$200 to \$250 per month. Lessee also pays utilities and taxes and is responsible for maintenance. Lessee is a City employee. Resolution approving lease agreement.)

ACTION: Res. 80-736 adopted approving lease agreement. (P.W. to handle)

CONSENT

18. Consider Geer Road Landfill Budget for fiscal year 1980-81.
(The County has completed preparation of the budget for 1980-81 for the Geer Road Landfill, and it would be appropriate for the Council to approve the budget as submitted. Memo with agenda. Resolution approving proposed budget needed.)

ACTION: Res. 80-737 adopted approving proposed budget. (Finance to handle)

CONSENT

19. Consider approval of the final map of Woodbridge subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Owners: James R. Corn, Inc.
(The subdivision agreement has been signed and all fees paid. Woodbridge is located south of West Briggsmore Avenue and west of Sherwood Avenue. It contains 3.025 acres. Resolution approving final map needed.)

ACTION: Res. 80-738 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider approval of the final map of the Orchards Unit 1 subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Orchards Associates.
(The subdivision agreement has been signed and all fees paid. The Orchards Unit 1 is located on the northeast side of Sisk Road, northwesterly from the Vintage Faire Shopping Center. It contains 9.886 acres. Resolution approving final map needed.)

Dropped from agenda.

CONSENT

21. Adjustment of 1980-81 budget reflecting capital projects and encumbrances required to be carried forward from the 1979-80 fiscal year budget.
(Report with agenda. Resolution approving budget adjustments needed.)

ACTION: Res. 80-739 adopted approving budget adjustments, (Finance to handle)

APPROPRIATION TRANSFERS

CONSENT

22. Consider approval of an appropriation transfer to cover the cost of the City's participation in a Constitutional Challenge to the Fair Labor Standards Act Rules.
(Memorandum with agenda. Resolution approving an appropriation transfer of \$5,000 needed.)

ACTION: Res. 80-740 adopted approving appropriation transfer. (Finance to handle)

MISCELLANEOUS

23. Legislation

None

24. Appointments

None

25. Matters too late for the agenda

None

at 11:30 p.m.
Adjourned/ to Tuesday, July 29, 1980, 7:30 p.m., in the City Council Chambers to consider the Charter Review Committee's recommendations.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk

The Council of the City of Modesto met pursuant to adjournment at 7:30 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Elliott, Lang, Muratore, Siefkin,
Mayor Mensinger

Absent: Councilmember Kullijian

The Charter amendments recommended by the Charter Review Committee were discussed.

By motion (Siefkin/Elliott, unan., Kullijian absent) Council indicated its intention to continue the hearing on the appeal by Airport Assembly of God to a decision of the Board of Zoning Adjustment concerning a conditional use permit for a church and child care center between Encina and Roble, west of Fortuna, from August 12, 1980, to September 10, 1980, 7:30 p.m.

The following appointments were made:

Res. 80-741 adopted (Lang/Elliott, unan., Kullijian absent); John Fleming was appointed to the Planning Commission, replacing Thomas Norquist, term to expire on 1/1/84.

Res. 80-742 adopted (Lang/Elliott, unan., Kullijian absent); Jerrold Frye was reappointed to Human Rights Commission, term to expire 5/1/84; Pete Dutton appointed, replacing James Biever, term to expire 5/1/84; Gordon Hart appointed, replacing Gordon Nutson, term to expire 5/1/82. Helen White appointed as Chairperson and Jerrold Frye appointed Vice-Chairperson.

Res. 80-743 adopted (Lang/Elliott, unan., Kullijian absent); Claire Gonsalves appointed to Farm-City Advisory Committee, replacing Sherman Boone, term to expire 5/1/81.

Res. 80-744 adopted (Lang/Elliott, unan., Kullijian absent); Carol Hall appointed to Rehabilitation Loan Pool Subcommittee, replacing Glen Robison, term to expire 6/30/83.

The meeting adjourned at 9:55 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 5, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin,

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Benjamin Meyer, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 27, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48

Removed from Consent: 11

ACTION: Muratore/Elliott, unan., Mayor Mensinger absent.

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the regular City Council meeting of July 22, 1980, and the adjourned regular meeting of July 29, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

CONSENT

2. Letter from Walter J. Schmidt on behalf of S.& W. Fine Foods, which purchased the former Funsten plant, requesting that a portion of 10th and C Streets and the alley in Block 50 be abandoned.
(Resolution setting hearing August 26, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-745 adopted setting hearing.

(Clerk to handle)

CONSENT

3. Letter from Glenn Robison resigning from the Housing Program Rehabilitation Loan Pool Subcommittee.
(Resolution accepting with regret needed.)

ACTION: Res. 80-746 adopted accepting resignation with regret.

(Clerk to handle)

CONSENT

4. Letter from Gordon Nutson resigning from the Human Rights Commission.
(Resolution accepting with regret needed.)

ACTION: Res. 80-747 adopted accepting resignation with regret.

(Clerk to handle)

CONSENT

4.A Request by Dale Hunter on behalf of his daughter, Debbie Hunter, to present a late claim for damages caused by an accident involving a Police vehicle.
(Resolution rejecting claim needed.)

ACTION: Res. 80-748 adopted rejecting claim.

(Clerk to handle)

BIDS

5. Interim Bus Terminal: approve plans and specifications and call for bids, September 2, 1980, 2:00 p.m.. Approve lease agreement with TRIPS.
(Memo with agenda. Architect will make a brief explanation on what he's done. Bids can then be sought or staff directed further. Resolution approving plans and specifications and calling for bids needed; and Resolution approving a lease agreement with TRIPS, Inc. needed. Estimated Cost: \$66,000. Funds are partially budgeted. Transfer to be requested when bids are opened and cost is known.)

ACTION: Res. 80-749 adopted (Muratore/Kullijian, unan., Mayor Mensinger absent) calling for bids on interim bus terminal.

Res. 80-750 adopted (same vote) approving lease agreement with TRIPS, Inc.
(P.T. to handle)

CONSENT

6. Consider approving specifications and authorizing call for bids to be opened August 26, 1980, at 2:00 p.m., for furnishing one 72" rotary mower.
(Requested by the Public Works Service Division, the mower will be permanently dispatched to the Parks and Recreation Department. The mower will be used to trim and mow various park sites and will replace similar equipment presently in service. Resolution authorizing call for bids needed. Estimated Cost: \$7,000. Funds are budgeted.)

ACTION: Res. 80-751 adopted calling for bids.

(Finance to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened August 26, 1980, at 2:10 p.m., for furnishing one sewerage lift station pump.
(Requested by the Public Works Sewerage Division, the pump will be used to lift waste water to a higher elevation to maintain flow velocity. The pump will replace a similar unit presently in service at the Emerald Lift Station. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$7,500. Funds are budgeted.)

ACTION: Res. 80-752 adopted calling for bids.

(P.W. to handle)

CONSENT

8. Award of contract for I Street improvement project, to George Reed, Inc.
(Two memos with agenda; one outlining bidding results, the other outlining DID Board recommendation and financial plan. Resolution awarding contract needed; two resolutions approving appropriation transfers needed. Total Cost: \$131,877 (Contract: \$121,877.75; Eng. & Cont.: \$9,999.25). Funds are partially budgeted.)

ACTION: Res. 80-753 adopted awarding bid.

Res. 80-754 adopted approving appropriation transfer of \$17,155 from General Reserve to Special Fund for Capital Outlay - P/W.

Res. 80-755 adopted approving appropriation transfer of \$37,324 from Contingency Reserve to DID-C.I.P. (P.W. to handle)

CONSENT

9. Consider accepting bid of Central Irrigation Supply for supplying 100 each Style 51 Rainbird Popup sprinklers for a total price of \$4,244.24, including sales tax.
(Memorandum with agenda. One Resolution declaring Central Irrigation Supply low bidder needed. Funds are budgeted.)

ACTION: Res. 80-756 adopted awarding bid to Central Irrigation Supply. (Finance to handle)

CONSENT

10. Consider award of contract for the addition to and modification of Fire Prevention Bureau, Eleventh and "F" Streets.
(Bids were opened on July 22, 1980. The low bid of \$69,994, submitted by Howell and Schmidt, Inc. is 12% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department and the Fire Department that the contract be awarded to them. Resolution awarding contract to Howell & Schmidt, Inc. needed. Funds are budgeted.)

ACTION: Res. 80-757 adopted awarding bid to Howell & Schmidt, Inc. (P.W./Fire to handle)

11. Consider award of contract for the construction of Fire Station No. 7.
(Bids were opened July 15, 1980. Howell and Schmidt's bid including Alternate "B" is \$230,136, which is 5% above the engineer's estimate and is considered acceptable. It is therefore recommended by the Public Works Department and the Fire Department that the contract be awarded to them. Resolution awarding contract to Howell & Schmidt., Inc. needed. Estimated Cost: \$241,636. (Constr. \$230,136; Eng. \$11,500). Funds are budgeted.)

ACTION: Res. 80-758 adopted (Lang/Elliott, unan., Mayor Mensinger absent) awarding contract to Howell and Schmidt., Inc. (P.W./Fire to handle)

CONSENT

12. Consider declaring C & H Manufacturing low bidder and authorize the purchase of three industrial high-pressure washers for the total purchase price of \$7,155.
(Memorandum with agenda. Resolution authorizing purchase of equipment needed. Funds are budgeted.)

ACTION: Res. 80-759 adopted authorizing purchase of equipment. (Finance to handle)

CONSENT

13. Consider award of contract for improving Sunrise Avenue surfacing between Fairmont and Annabelle.
(Bids were opened July 29, 1980 and the low bid of Flintkote Company of \$5,922.55, which is 14% below the engineer's estimate, is considered acceptable. Therefore, it is recommended that the contract be awarded to them. Resolution awarding contract to Flintkote Company needed. Funds are budgeted.)

ACTION: Res. 80-760 adopted awarding contract to Flintkote Company. (P.W. to handle)

CONSENT

14. Consider acceptance of SPM Development Company's contract for Project 10 - Replacement of curbs, drive aprons and sidewalks at various locations as complete. (Original contract and final cost: \$22,930.)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-761 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of Industrial Electrical's contract for street light modernization "J" Street - 12th Street to McHenry Avenue as complete. (Original contract: \$12,740.40).
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$12,979.76. Funds are budgeted.)

ACTION: Res. 80-762 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of Motorola Inc's contract for Police satellite radio receiving system. (Original contract and final cost: \$11,359.)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-763 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider acceptance of Joe Martin Pipeline, Inc's contract for construction of waterline extension at Lincoln and Yosemite Blvd. (Original contract: \$24,305.)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$24,857. Funds are budgeted.)

ACTION: Res. 80-764 adopted accepting work as complete. (Clerk to handle)

CONSENT

18. Consider acceptance of William M. Mineni's contract for construction of 7th Street Bridge truss support for span 13 as complete. (Original contract and final cost: \$17,100.)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-765 adopted accepting work as complete. (Clerk to handle)

CONSENT

19. Consider waiving formal bid procedures and authorizing the purchase of one Weber claw bucket from Wastequip, Inc., for the total purchase price of \$7,541.80). (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-766 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

20. Consider authorizing the purchase of four Liquitronix Level Controls from the Tesco Company for the total purchase price of \$4,800. (Requested by the Public Works Sewerage Division the level controls are used to govern pumping cycles at sewerage lift stations. The level controls are available only from the Tesco Company (memorandum with agenda), and will replace similar equipment presently in service. Resolution authorizing purchase of level controls needed. Funds are budgeted.)

ACTION: Res. 80-767 adopted authorizing purchase of level controls. (Finance to handle)

HEARINGS

22. Hearing on appeal by Rule Development to a decision of the Planning Commission concerning rezoning of a .18 acre parcel on the west side of Coffee Road south of Rumble Road from R-1 to P-D for a professional office complex. No. 1

ACTION: By motion (Lang/Muratore, majority, Siefkin - no, Mayor Mensinger absent) Council indicated its intention to approve P-D zoning. (Atty to handle)

23. Appeal by Carlos Arce to a decision of the Board of Zoning Adjustment concerning placing a six foot fence on the street right of way line at 210 Buena Vista Avenue. No. 2

ACTION: Res. 80-768 adopted (Elliott/Lang, unan., Mayor Mensinger absent) appeal granted and approving placing the fence on the property line. (Planning to handle)

24. Hearing to consider rate increase for CATV service in Modesto. No. 3

ACTION: Res. 80-769 adopted (Lang/Elliott, unan., Mayor Mensinger absent) approving rate increase effective September 1, 1980. (Finance to handle)

25. Hearing to consider request by Jesse L. Marchant, Turlock Carton Press, for a license to collect salvageable waste. No. 4
(Application withdrawn by Mr. Marchant.)

ACTION: By motion (Elliott/Muratore, unan., Mayor Mensinger absent) acknowledging receipt of the letter from Mr. Marchant withdrawing his application.

26. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

27. Final adoption of:

- a. Ord. No. 1964-C.S. amending a portion of P-D(21) to allow condominium conversion, property located west of Tully, north and south of Montclair Drive (Pacific Investment Company).
- b. Ord. No. 1966-C.S. amending the Modesto Municipal Code Chapter relating to the Building Code.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

UNFINISHED BUSINESS

28. Resolution granting an amendment to the Unclassified Use Permit for Doctor's Hospital for a helipad.

(On July 22, 1980, the Council directed the staff to draft and bring back to Council a resolution granting Doctor's Medical Center helipad application. Adoption of resolution needed.)

ACTION: Res. 80-770 adopted (Lang/Elliott, majority, Siefkin-no, Mayor Mensinger absent) approving conditions and directing that a letter be sent to the State concerning Council's concerns about the flight patterns. (Planning/Atty. to handle)

NEW BUSINESS

CONSENT

29. Consider withdrawing Carpenter Road No. 2 Annexation from the Woodland Fire District.

(This addition was annexed to the City of Modesto effective July 24, 1980. Resolution withdrawing Carpenter Road No. 2 Annexation from the Woodland Fire District needed.)

ACTION: Res. 80-771 adopted withdrawing Carpenter Road No. 2 Annexation from the Woodland Fire District.

(Clerk to handle)

CONSENT

30. Consider determining that the public interest and convenience require that Carpenter Road No. 2 Annexation be annexed to Modesto Municipal Sewer District No. 1.

(The effective date of this annexation was July 24, 1980. Resolution setting public hearing on September 16, 1980 at 4:00 p.m. needed.) (Five affirmative votes needed.)

ACTION: Res. 80-772 adopted setting public hearing.

(Clerk to handle)

31. Consider appeal by Mid-Valley Engineering on routing of water and sewer lines to a parcel near 9th and Carver.
(Applicant desires to route water and sewer lines across private property by establishing a public utility easement. City policy is that water and sewer lines run directly from public right of way to property being served. Memo with agenda. Resolution granting or denying appeal needed.)

ACTION: By motion (Lang/Elliott, unan., Mayor Mensinger absent) this matter referred back to staff for further study. (P.W. to handle)

CONSENT

32. Consider request by Retired City Employees' Association for a one-time cost-of-living increase ranging from 3% to 15% for those who retired prior to January 1, 1974 (or their surviving dependents).
(Memo with agenda. Motion authorizing staff to proceed with implementation of the amendment and submit necessary forms to PERS needed.)

ACTION: By motion staff authorized to proceed with implementation of amendment. (Management Services)

CONSENT

33. Consider acceptance of grant agreement to construct a new terminal access road and expand the terminal transient aircraft parking apron at Modesto City-County Airport.
(The City has made application for federal funding in the amount of \$234,000 to construct a new terminal access road and expand the terminal transient aircraft parking apron at the Modesto City-County Airport. The grant offer has been received. It is recommended the Council adopt a resolution accepting the grant and authorize the City Manager to execute the grant agreement on behalf of the City. Memo with agenda. Resolution approving grant agreement needed.)

ACTION: Res. 80-773 adopted approving grant agreement. (P.W. to handle)

CONSENT

34. Consider approving agreements with P.G. & E. to provide gas service for auxiliary gas engines to Pump Station No. 40 and Pump Station No. 44.
(An agreement is needed with P.G. & E. to provide the gas service to Pump Stations No. 40 and 44. It is recommended by the Public Works Department that the Council authorize the City Manager to sign the two agreements. Two resolutions approving agreements with P.G. & E. needed. Estimated cost: \$4,014; funds are budgeted.)

ACTION: Res. 80-774 adopted approving agreement with P.G. & E. regarding Pump Station No. 40.
Res. 80-775 adopted approving agreement with P.G. & E. regarding Pump Station No. 44. (P.W. to handle)

CONSENT

35. Consider approval of agreement with architect for design of elevator in McHenry Museum.
(Funds are budgeted for an elevator in the Museum and the project requires that construction plans and specifications be prepared. Phillip Grant Martin, AIA, was selected by the staff after negotiations with him to perform the design work. Resolution approving agreement needed. Estimated cost: \$11,000 - Architect's contract.)

ACTION: Res. 80-776 adopted approving agreement. (P.W. to handle)

CONSENT

36. Approve agreement for left turn signals at McHenry and Sylvan/Standiford.
(Caltrans proposes to add protected left turn phasing at this intersection. The agreement provides for 50% City funding of the project, with Caltrans handling design and construction. Resolution approving agreement and resolution approving appropriation transfer of \$12,903 needed. Estimated cost: \$57,902.50; \$45,000 is budgeted.)

ACTION: Res. 80-777 adopted approving agreement.
Res. 80-778 adopted approving appropriation transfer. (P.T. to handle)

CONSENT

37. Consider amendment to Position Classification Plan and Salary Plan - Clerical and Maintenance Classes.
(Memorandum with agenda. Resolution amending position classification plan and resolution amending salary plan needed.)

ACTION: Res. 80-779 adopted amending position classification plan.
Res. 80-780 adopted amending salary plan. (Management Services to handle)

CONSENT

38. Consider minor modifications to conditions of approval of Farmers' Market.
(Memo with agenda. Resolution amending approval of Farmers' Market needed.)

ACTION: Res. 80-781 adopted amending approval of Farmers' Market. (Planning to handle)

CONSENT

39. Application for California Urban Forestry Grant Program.
(The California Urban Forestry Grant Program is a granting program of the California Department of Forestry written to help aid in the preservation of urban forests. The City of Modesto is eligible for a 90% grant of \$34,200 to study and update our Street Tree Program. The City's 10% match to the program will be supplied by in-kind salaries for support staff. Resolution approving grant application needed. Estimated cost: \$38,000; funds are budgeted.)

ACTION: Res. 80-782 adopted approving grant application. (P.R. to handle)

CONSENT

40. Consider renewal of insurance for McHenry Museum and McClure Mansion. (Memorandum with agenda. Resolution approving renewal of insurance coverage for McHenry Museum and McClure Mansion needed. Estimated cost: \$1,597; funds are budgeted.)

ACTION: Res. 80-783 adopted approving renewal of insurance coverage. (Management Services to handle)

CONSENT

41. Consider adopting a resolution authorizing the City Manager to sign an insurance renewal policy to continue the Motorcycle Safety Course into its second grant year. (The Motorcycle Safety Foundation Grant is moving into the second grant year and requires renewal of the insurance policy to cover the second year of the program. Resolution approving the renewal insurance policy needed. Estimated cost: \$912; funds are budgeted.)

ACTION: Res. 80-784 adopted approving the renewal of insurance policy. (Police to handle)

CONSENT

42. Consider amendment to agreement to provide for increase in compensation to Mackay and Soms of \$40,000 for the design of the West Trunk Sewer Project. (Additional work has been required to complete the plans and specifications for the West Trunk Sewer and to meet requirements set forth by the Stanislaus County Public Works Department. Memo with agenda. Resolution approving amendment to agreement needed. Funds are budgeted.)

ACTION: Res. 80-785 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

43. Recommend to Council an amendment to P-D(263) - Rule Enterprises. (On July 21, 1980, the Planning Commission adopted Resolution No. 80-177 recommending to the City Council an amendment to P-D(263) located south of Blue Gum, east of Morse, to allow one additional dwelling unit. Resolution setting public hearing August 26, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-786 adopted setting public hearing. (Clerk to handle)

CONSENT

44. Recommend to Council an amendment to Section 10-3-9 of the Zoning Map - R.B. Welty and Associates for Doug Metcalfe.

(On July 21, 1980, the Planning Commission adopted Resolution No. 80-181 recommending to the City Council an amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D to allow conversion of existing apartments to condominiums, property located at the northeast corner of Coffee Road and Sylvan Meadows Drive. Resolution setting public hearing on August 26, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-787 adopted setting public hearing. (Clerk to handle)

CONSENT

45. Recommend to Council an amendment to Sections 22-3-9 and 27-3-9 of the Zoning Map - James R. Corn Enterprises, Inc.

(On July 21, 1980, the Planning Commission adopted Resolution No. 80-182 recommending to the City Council an amendment to Sections 22-3-9 and 27-3-9 of the Zoning Map to rezone from R-1 to P-D to allow a one and two-story condominium development property located on the west side of Brighton, south of Irons Court. Resolution setting public hearing on August 26, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-788 adopted setting public hearing. (Clerk to handle)

CONSENT.

46. Report of Superintendent of Streets on the cost of commercial alley reconstruction at the following locations:

Block 56 - Bounded by 9th Street/10th Street--"J" Street/"I" Street

<u>Name</u>	<u>Lot</u>	<u>Amount</u>
Jack E. Goodwin	1 \$ 2	\$ 321.24
William P. Correia	3	\$ 160.62
Kauffman & Kauffman	4 & 5	\$ 321.24
Cleveland J. Stockton	Portion	\$ 803.09
George E. Ewell	Portion	\$ 128.49
Loeb's Dept. Store Inc.	Portion	\$ 160.62
Bartoni & Houghton	Portion	\$ 170.26
Cleveland Stockton	Portion	\$ 417.61
Carl W. Lewis	29 - 32	\$ 642.47

Block 63 - Bounded by 10th Street/11th Street--"O" Street/"N" Street

Tsuneo Iwata	1, 2 & 3	\$	491.85
Charleen R.P. Wickman	4 & 5	\$	327.90
Darrell F. Champion	6 & 7	\$	327.90
Charleen R.P. Wickman	Portion	\$	245.93
Elmo Garcia	Portion	\$	245.93
William M. Mineni	11 & 12	\$	327.90
Carroll D. Larsen Sharp	13 & 14	\$	327.90
Amber E. Brady	15 & 16	\$	327.90
Tony Guajardo	17 & 18	\$	327.90
Rogers Jewelry Co.	19 - 24	\$	983.70
Tsuneo Iwata	25 - 32	\$	1,311.60

Block 84 - Bounded by 12th Street/11th Street--"J" Street/"I" Street

General Electric Pension Trust	1 - 8	\$	1,418.26
General Services	1 - 16	\$	1,418.26
Francis R. Ruggieri	17 - 20	\$	709.13
Frank H. Dickason	21 & 22	\$	354.57
Tom Giahos	23 & 24	\$	354.57
Boggeri & Boggeri	25 - 27	\$	531.85
City Mall	28 - 32	\$	886.41

Block 85 - Bounded by 11th Street/12th Street--"J" Street/"K" Street

June A. Longley	Portion	\$	81.38
United California Realty Corp.	Portion	\$	244.14
Sutton & Janes	12 - 16	\$	813.80
Ernest V. Darpinian	Portion	\$	651.04
Fidelity Savings	Portion	\$	81.38
Pacific Telephone	Portion	\$	406.90

Block 86 - Bounded by 11th Street/12th Street--"L" Street/"K" Street

William R. Lundgren	Portion	\$	288.55
Don E. Cowdry	Portion	\$	531.20
Hawkins & Hawkins & Adams	6 - 9	\$	80.80
Kokko & Kokko	10 - 13	\$	655.80
Theodore M Cook	Portion	\$	491.85
M B C Enterprises	17 - 26	\$	1,639.50
Ulrich & Dunker & Aced	27 - 29	\$	491.85
Yates & Hampel	30 - 32	\$	491.85

Block 92 - Bounded by 12th Street/13th Street--"J" Street/"K" Street

Carrie Johnson	Portion,	\$ 506.85
Knud Prip	Portion	\$\$ 67.58
Pacific Telephone	Portion	\$\$1,284.02
Venco Realty Inc.	12 - 16	\$\$ 844.75
John E. Griffin	Portion	\$\$1,163.17
Edward T. TAYlar	Portion	\$\$ 462.63
John E. Griffin	Portion	\$\$ 506.85
Pacific Telephone	Portion	\$\$ 506.85
Stockton & Schrimp	Portion	\$\$ 422.38

Block 93 - Bounded by 12th Street/13th Street--"J" Street/"I" Street

Jessie V. Trueblood	8 & 9	\$\$ 334.57
Frank C. Damrell Jr.	10 - 12	\$\$ 501.85
Campbell & Ollenberger & DeKleva	13 - 16	\$\$ 669.13
Broome & Baird & Forinci	21 & 22	\$\$ 334.57
Evelyn Holl	23 & 24	\$\$ 334.57
Ohio National Life Insurance Inc.	Portion	\$\$ 361.00
Basic Resources	Portion	\$\$2,323.24
Title Insurance & Trust Co.	17 - 20	\$\$ 669.13

Block 94 - Bounded by 12th Street/13th Street--"I" Street/"H" Street

Cannery Works Union	1 & 2	\$. 321.24
Ignazio Grimaldi	3 & 4	\$\$ 321.24
Fulfer & LaCosta & Luce	5 - 9	\$\$ 803.09
Crocker Citizens' National Bank	10 - 16	\$\$1,124.32
Price & Crabtree	17 - 20	\$\$ 642.47
Harry D. Crow	21 - 23	\$\$ 481.85
Edward Johnson	24 & 25	\$\$ 321.24
Western Title Guarantee Co.	26 - 28	\$\$ 481.85

(The amount shown is one-third of the cost. The cost of improving the alleys will be shared, one-third by the property owner(s) of the benefited property, either in cash or over a three year period, one-third by the City of Modesto, and one-third from the Downtown Improvement District funds. Resolution setting hearing on August 26, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-789 adopted setting hearing.

(Clerk to handle)

CONSENT

47. DID Board recommended variance to Downtown Sidewalk Standard be granted to Ken Wolfe and Associates, 10th and M Streets location.
(On July 30, 1980 the DID Board of Directors recommended the City Council grant a variance to Ken Wolfe and Associates for a variance of the Downtown Sidewalk Standards to allow concrete aggregate and red brick bands at the 10th and M Street location. Resolution granting variance needed.)

ACTION: Res. 80-790 adopted granting variance.

(Clerk to handle)

REPORTS

CONSENT

48. Report by Modesto Chamber of Commerce for the April-June, 1980 quarter.
(Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

49. Legislation

None

50. Appointments

None

51. Matters too late for the agenda

None

Adjourned at 6:40 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 12, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Dave McCracken, College Avenue Congregational Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

ACTION: (Siefkin/Lang, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the August 5, 1980, City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

CONSENT

2. Letter from Joseph Good, Executive Vice President of the Modesto Chamber of Commerce, requesting the City Council to send a letter to the Civil Aeronautics Board requesting their influence in obtaining improved performance by Golden Gate Airlines and requesting that United Airlines be held on a standby basis indefinitely.
(Motion approving request needed.)

ACTION: By motion, request approved.

(P.W. to handle)

CONSENT

3. Appeal by David A. Basmajian to a decision of the Planning Commission concerning zoning of property at 107 Hintze.
(Resolution setting hearing September 10, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-791 adopted setting hearing.

(Clerk to handle)

CONSENT

4. Letter from Dolores Parker resigning from the Human Rights Commission effective September 1, 1980.
(Resolution accepting resignation with regret.)

ACTION: Res. 80-792 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT

5. Consider approving specifications and authorize call for bids to be opened September 2, 1980, at 2:30 p.m., for furnishing one catch basin cleaner truck. (Requested by the Public Works Service Division, the equipment will be permanently assigned to the Streets Division. The truck will be used primarily to clean out catch basins and will replace a similar truck presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$81,900. Funds are budgeted.)

ACTION: Res. 80-793 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the construction of waterline extension in Floyd Avenue. (Suggested bid opening: September 2, 1980, at 11:05 a.m. The extension of this main will provide water and fire service for the Roller King at the southeast corner of Floyd and Oakdale. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$25,171 (Contract \$22,428; Eng. \$2,743). Funds are budgeted.)

ACTION: Res. 80-794 adopted calling for bids. (P.W. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of waterline extension in Panama Avenue. (Suggested bid opening: September 2, 1980 at 11:00 a.m. The extension of this main provides water to Hacienda Villas. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$23,765 (Contract \$21,150, Eng. \$2,615). Funds are budgeted.)

ACTION: Res. 80-795 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider award of contract for construction of Muncy Park landscaping and irrigation. (Bids were opened July 29, 1980 and the low bid of Bibens Nursery Co. which is 21% over the engineer's estimate is considered acceptable. A review of the bids reveals that the additional costs were primarily the result of labor increases not included in the Engineer's Estimate. Therefore it is recommended that the contract be awarded to Bibens. Resolution awarding contract needed. Estimated Cost: \$74,000 Contract. Funds are budgeted.)

ACTION: Res. 80-796 adopted awarding contract. (P.W. to handle)

CONSENT

9. Consider award of contract for the construction of waterline extension at Pelandale and Dale.
(Bids were opened August 5, 1980. The low bid of \$40,680, submitted by Joe Martin Pipeline, Inc. is 8% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 80-797 adopted awarding contract. (P.W. to handle)

CONSENT

10. Consider award of contract for the construction of waterline extension in Woodland Avenue.
(Bids were opened on August 5, 1980. The low bid of \$23,850 submitted by Joe Martin Pipeline, Inc. is 18% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Joe Martin Pipeline, Inc. Funds are budgeted.)

ACTION: Res. 80-798 adopted awarding contract. (P.W. to handle)

CONSENT

11. Consider acceptance of Western Pipeline's contract to construct the northwest trunk sewer as complete. (Original contract: \$264,100)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$268,522. Funds are budgeted.)

ACTION: Res. 80-799 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider acceptance of Stanislaus Roofing's contract to reroof lower section, Fire Station No. 5 as complete. (Original contract: \$8,650)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$8,600. Funds are budgeted.)

ACTION: Res. 80-800 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of The Flintkote Company's contract for improvement of Corporation Yard surface north area - Block 434 as complete. (Original contract: \$6,505)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$7,165.98. Funds are budgeted.)

ACTION: Res. 80-801 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider acceptance of Lang's Enterprises contract for air conditioning system modifications, City Council Chambers as complete. (Original contract: \$24,121) (Memo with agenda. All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final Cost: \$24,278. Funds are budgeted.)

ACTION: Res. 80-802 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider waiving formal bid procedures by five affirmative votes and authorize the purchase of twenty-five M.S.A. emergency air tanks from Capital Fire Equipment Company for the total price of \$5,962.50. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-803 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

16. Consider waiving formal bid procedures and authorize the purchase of three 8 inch compound water meters from Hersey Products, Inc. for the total purchase price of \$17,251.50. (Memorandum with agenda. Resolution authorizing purchase of material needed. Funds are budgeted.)

ACTION: Res. 80-804 adopted authorizing purchase of material. (Finance to handle)

CONSENT

17. 1) Consider declaring the General Electric Company low bidder and authorize the purchase of eleven mobile and four portable radios from the firm for the total price of \$20,499.30; 2) Consider approving specifications and authorize new bids to be opened September 2, 1980, at 2:15 p.m., for furnishing twenty-three Police frequency scanners. (1. Resolution authorizing purchase needed; 2. Resolution authorizing call for bids needed. Funds are budgeted.)

ACTION: Res. 80-805 adopted awarding bid to General Electric Co.
Res. 80-806 adopted authorizing call for rebid on scanners. (Finance to handle)

HEARINGS

18. Hearing on amendment to Section 20-3-9 of the Zoning Map to rezone from R-1 to P-D(269) to allow a three single-family and 10 single-story condominium development, property located on the south side of West Roseburg, east of Virginia. (Charles Querner). No. 1

ACTION: By motion (Kullijian/Bright, majority, Lang-no) Ord. 1972-C.S. introduced.
Res. 80-807 adopted (same vote) approving plan.
Res. 80-808 adopted (same vote) certifying review of Environmental Assessment Report. (Clerk/Planning to handle)

19. Hearing on appeal by Airport Assembly of God to a decision of the Board of Zoning Adjustment concerning a conditional use permit for a church and child care center between Encina and Roble west of Fortuna. (At its meeting on July 29, 1980, Council indicated its intention to continue this hearing to September 10, 1980, at 7:30 p.m.) No. 2

ACTION: By motion (Bright/Muratore, unan.) hearing continued to September 10, 1980, 7:30 p.m. (Clerk to handle)

20. Hearing on appeal by Warner M. Soelling, M.D. to a decision of the Planning Commission concerning zoning of his property on Oakdale Road south of Briggsmore. No. 3

ACTION: Res. 80-809 adopted (Lang/Siefkin, unan.) denying appeal.

21. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

Enc

UNFINISHED BUSINESS

22. Further consideration of Charter Review Committee's recommendations.

ACTION: By motion (Lang/Muratore, majority, Kullijian, Siefkin, Mayor Mensinger-no) implementing Charter Measure D, Council compensation, will be effective at the time the Charter amendment becomes effective. (Clerk/Atty. to handle)

Res. 80-810 adopted (same vote) calling election,
Res. 80-811 adopted (same vote) requesting Board to consolidate,
Res. 80-812 adopted (same vote) requesting impartial analysis,
(Clerk/Atty. to handle)

23. Consider ordinance amending Section 16-3-9 of the Zoning Map to rezone from R-1 to P-D(275) for a professional office complex, property located on Coffee Road south of Rumble (Rule Enterprises)

(Motion introducing ordinance,
resolution granting appeal and containing conditions of approval, and resolution certifying review of environmental assessment needed.)

ACTION: By motion (Lang/Bright, majority, Siefkin, Mayor Mensinger-no) Ord. No. 1973-C.S. introduced.

Res. 80-813 adopted (same vote) approving plan.
Res. 80-814 adopted (same vote) certifying review of Environmental Assessment Report.
(Clerk/Planning to handle)

NEW BUSINESS

24. Consider Energy Policy Statement for City of Modesto.
(Staff has drafted an Energy Policy Statement for consideration by the City Council. We believe adoption of an Energy Policy Statement will be of value both to the staff and the public in identifying the City's participation in the energy conservation area. Draft Statement with agenda. Motion approving Energy Policy Statement needed.)

ACTION: By motion (Kullijian/Bright, unan.) Energy Policy Statement approved.
(P.W. to handle)

CONSENT

25. Consider acceptance of improvements in Chablis Lane subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Danita Corporation)
(Chablis Lane subdivision is located south of California Avenue, west of Carpenter Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-815 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

26. Consider approval of the final map of the Orchards Unit One subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code. (Subdividers: Orchards Associates)
(The subdivision agreement has been signed and all fees paid. The Orchards Unit One is located on the northeast side of Sisk Road, northwesterly from the Vintage Faire Shopping Center. It contains 9.888 acres. Resolution approving final map needed.)

ACTION: Res. 80-816 adopted approving final map. (Clerk to handle)

CONSENT

27. Consider approval of the final map of Woodglen Park No. 3 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code. (Subdividers: Joaquin Construction)
(The subdivision agreement has been signed and all fees paid. Woodglen Park No. 3 is located west of Dale Road and south of Snyder Avenue. It contains 20.589 acres. Resolution approving final map needed.)

ACTION: Res. 80-817 adopted approving final map. (Clerk to handle)

CONSENT

28. Consider the Burbank School Governmental Reorganization to the City of Modesto, comprised of the Burbank School on Paradise Road.
(On July 23, LAFCO approved the Burbank School Governmental Reorganization to the City of Modesto. The governmental reorganization would include annexation to the City, detachment from the Burbank-Paradise Fire District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. Resolution ordering the Burbank School Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 80-818 adopted ordering Burbank School Governmental Reorganization to the City of Modesto. (Clerk to handle)

CONSENT

29. Set hearing to consider amending the Conflict of Interest Codes of the Parks and Recreation Department, adding ~~Assistant Director of Parks and Recreation,~~ Parks Superintendent and Recreation Superintendent and deleting Parks and Recreation Superintendents, and of the Public Works Department, adding Assistant Building Inspector and Assistant Zoning Inspector. Resolution setting hearing August 19, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-819 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend to Council an amendment to Section 10-2.225.1 of the Zoning Regulations and to the Family Amusement Machine Center Policy.
(On August 4, 1980, the Planning Commission adopted Resolution No. 80-195 recommending to the City Council an amendment to Section 10-2.225.1 of the Zoning Regulations and to the Family Amusement Machine Center Policy to permit amusement machine centers in conjunction with a restaurant. Resolution setting public hearing September 2, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-820 adopted setting hearing. (Clerk to handle)

CONSENT

31. Recommend to Council an amendment to Section 14-3-9 of the Zoning Map - Allen Grant.
(On August 4, 1980, the Planning Commission adopted Resolution No. 80-194 recommending to the City Council an amendment to Section 14-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on the north side of Merle Avenue east of Oakdale Road. Resolution setting public hearing September 2, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-821 adopted setting hearing. (Clerk to handle)

CONSENT

32. Recommend to Council an amendment to P-D(3), Marshall Perry.
(On August 4, 1980, the Planning Commission adopted Resolution 80-192 recommending to the City Council an amendment to P-D(3) to allow conversion of existing apartments to condominiums, property located at the southwest corner of Kavanagh and MacDougal. Resolution setting public hearing September 10, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-822 adopted setting hearing. (Clerk to handle)

CONSENT

33. Recommend to Council an amendment to Section 32-3-9 of the Zoning Map - Kieu Cong Tran.
(On August 4, 1980, the Planning Commission adopted Resolution No. 80-190 recommending to the City Council an amendment to Section 32-3-9 of the Zoning Map to rezone from C-1 to P-0, property located at the easterly corner of 3rd and I Streets. Resolution setting public hearing September 10, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-823 adopted setting hearing. (Clerk to handle)

CONSENT

34. Recommend to Council an amendment to Section 22-3-9 of the Zoning Map - Oakwood Builders.
(On August 4, 1980, the Planning Commission adopted Resolution No. 80-187 recommending to the City Council an amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-D(273) to allow a professional office complex, property located on the southwest corner of E. Orangeburg and Oakdale Road. Resolution setting public hearing September 2, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-824 adopted setting hearing. (Clerk to handle)

CONSENT

35. Recommend to Council an amendment to Section 22-3-9 of the Zoning Map - Zagaris Management Services.
(On August 4, 1980, the Planning Commission adopted Resolution No. 80-191 recommending to the City Council an amendment to Section 22-3-9 of the Zoning Map to rezone from R-3 to P-0, property located at the northwest corner of E. Orangeburg and Oakdale Road. Resolution setting public hearing September 2, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-825 adopted setting hearing. (Clerk to handle)

REPORTS

CONSENT

36. City Manager's Annual Report of activities of all City departments for fiscal year 1979-80.
(Report with agenda. It is recommended by the City Manager that these reports be accepted as the City Manager's annual report on administrative activities of the City as required by the City Charter. Motion accepting report needed.)

ACTION: By motion, report accepted.

MISCELLANEOUS

37. Legislation

ACTION; By motion (Elliott/Kullijian, unan.) SB 2827 opposed, (Mgmt. Services to handle)

38. Appointments

None

39. Matters too late for the agenda.

None

at 10:15 p.m.

Adjourned / to executive session regarding pending litigation and property acquisition and did not return to open session,

ATTEST:



NORRINE COYLE, City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 19, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Howard Clarke, Second Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 18, 19, 20

ACTION: Lang/Elliott, unan.

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the City Council meeting of August 12, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved,

COMMUNICATIONS

2. Letter from Dave Kilby, Modesto Chamber of Commerce, requesting City Council support of State Proposition 4 which would allow the local electorate to approve general obligation bonds to finance capital improvement projects.

ACTION: By motion (Lang/Elliott, unan,) Council went on record as being in support of State Proposition 4,

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for commercial alley improvements, Phase 2.
(The alleys are old and have deteriorated resulting in maintenance and drainage problems. Suggested bid opening date is September 10, 1980, at 11:10 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$111,638.00 (Contr. \$101,489; Eng. & Contg. \$10,149). Funds are budgeted.)

ACTION: Res. 80-826 adopted calling for bids.

(P.W. to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for a masonry wall at Fire Station No. 6.
(This wall was part of the original project but was deleted due to lack of funds at the time of Fire Station 6 construction. Suggested bid opening date: September 10 1980 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$11,250 (Contr. \$10,250; Eng. & Contg. \$1,000). Funds are budgeted.)

ACTION: Res. 80-827 adopted calling for bids.

(P.W. to handle)

CONSENT

5. Consider approving specifications and authorizing call for bids to be opened September 16, 1980, at 2:00 p.m. for furnishing one bus diesel engine.
(Requested by the Public Works Service Division, the engine will be used as a spare unit for the 1979 Gillig transit coaches. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$11,872. Funds are budgeted.)

ACTION: Res. 80-828 adopted calling for bids.

(Finance to handle)

CONSENT

6. Consider award of contract for the Wastewater Treatment Plant landscaping.
(Bids were opened August 5, 1980. The low bid of \$9,262, submitted by Grover Landscaping, Inc. is 32% above the Engineer's Estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract to Grover Landscaping, Inc. needed. Estimated Cost: \$10,472 (Contr. \$9,262; Eng. & Contg. \$1,210). Funds are budgeted.)

ACTION: Res. 80-829 adopted awarding contract.

(P.W. to handle)

CONSENT

7. Consider declaring Gaines Equipment Company low bidder and authorize the purchase of one front-end claw loader from the firm for the total purchase price of \$35,987.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-830 adopted authorizing purchase.

(Finance to handle)

CONSENT

8. Consider declaring Kelly Signs low bidder and authorize the purchase of City bus painting services from the firm for the total price of \$4,990.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-831 adopted authorizing purchase.

(Finance to handle)

CONSENT

9. Consider the following: 1) Authorizing transfer of funds from Sewerage and Water Exigency Reserves to Professional and Contractual Services Accounts; 2) Award bid and authorize the City Manager to enter into an agreement with Bibens Nursery to provide landscape maintenance services on pump stations and Wastewater Treatment Plant for \$2,930 per month; 3) Award bid and authorize the City Manager to enter into an agreement with Devengenzo Landscaping to provide landscape maintenance services on traffic islands for \$2,100 per month.
(Memorandum with agenda. 1) Resolution authorizing fund transfer needed; 2) Resolution awarding bid and authorizing contract with Bibens Nursery needed; 3) Resolution awarding bid and authorizing contract with Devengenzo Landscaping needed. Estimated Cost: \$55,330/11 months.)

ACTION: Res. 80-832 adopted authorizing appropriation transfer.

Res. 80-833 adopted awarding contract to Bibens Nursery.

Res. 80-834 adopted awarding contract to Devengenzo Landscaping. (Finance to handle)

HEARINGS

10. Hearing to consider an amendment to Section 10-2.3510(a) (2) of the Modesto Municipal Code - Shopping Center Identification Signs. No. 1

ACTION: By motion (Muratore/Siefkin, unan.) Ord. No. 1974-C.S, introduced amending Code.
Res. 80-835 adopted (same vote) certifying review of environmental assessment.
(Clerk to handle)

11. Hearing to consider amending the Conflict of Interest Codes of the Parks and Recreation Department, adding Assistant Director of Parks and Recreation, Parks Superintendent, and Recreation Superintendent and deleting Parks and Recreation Superintendents, and of the Public Works Department, adding Assistant Building Inspector and Assistant Zoning Inspector. No. 2

ACTION: Res. 80-836 adopted (Elliott/Muratore, unan.) amending Parks and Recreation's Conflict of Interest Code.

Res. 80-837 adopted (same vote) amending Public Works' Conflict of Interest Code.
(Clerk to handle)

12. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

Mrs. Mole asked that time and temperature signs be allowed to remain.

ORDINANCES

- 13a. Final adoption of Ord. No. 1972-C.S. rezoning from R-1 to P-D(269) to allow a 3 single-family/10 single-story condominium development on the south side of West Roseburg, east of Virginia. (Charles Duerner)
(Motion adopting needed.)

ACTION: By motion (Siefkin/Elliott, majority, Lang-no) Ord. No. 1972-C.S. adopted.

- b. Final adoption of Ord. No. 1973-C.S. rezoning from R-1 to P-D(275) for a professional office complex, property located on Coffee Road south of Rumble. (Rule Enterprises)
(Motion adopting needed.)

ACTION: By motion (Bright/Kullijian, majority, Siefkin, Mayor Mensinger - no) Ord. No. 1973-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

14. Further consideration of financial institutions in the P-0 zone.
(A staff report, "Financial Institutions in the P-0 Zone," recommends that the P-0 zone not be amended to permit financial institutions, but that the City Council consider a P-D policy wherein financial institutions would be considered adjacent to a regional or community shopping center. Motion directing staff needed.) (Continued from July 8, 1980, Council meeting.)

ACTION: By motion (Kullijian/Muratore, unan.) Council indicated its intention to permit financial institutions in P-0 zones adjacent to regional community or neighborhood shopping centers through P-D zoning, and directed staff to prepare the necessary Code changes for consideration.

By motion (Siefkin/Kullijian, unan.) the question of numbers and kinds of financial institutions that should be permitted be referred to staff for preparation of some proposed guidelines.

NEW BUSINESS

CONSENT

15. Consider approving renewal of lease agreement with Larry Holmboe and Karen E. Holmboe for lease of the former Doidge house located on future Dry Creek Park area.
(New lease is for four years beginning July 16, 1980 and ending July 15, 1984. Lessees will pay \$525 per month for the first year and \$25 per month, additional every year thereafter. Lessee is also responsible for utilities, maintenance and taxes. Resolution approving lease agreement needed.)

ACTION: Res. 80-838 adopted approving lease agreement. (P.W. to handle)

CONSENT

16. Consider acceptance of improvements in Sutter Townhouses subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Don E. and Martha J. Cowdrey and James R. Corn Enterprises, Inc.)
(Sutter Townhouses subdivision is located north of East Orangeburg Avenue and west of Sunrise Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-839 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

17. Consider acceptance of improvements in Laurel Meadows subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Rule Development)
(Laurel Meadows subdivision is located at the southwestern corner of Coffee Road and Rumble Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-840 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

18. Consider acceptance of improvements in Colonial Commons No. 3 subdivision (Timberlake) and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Robert P. and Muriel F. Bomberger, Harley D. and Norma F. Brannon)
(Colonial Commons No. 3 subdivision is located north of Standiford Avenue between Tully Road and Colonial Drive. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-841 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

19. Consider approving agreement with Red Top Taxi for supplemental public transportation services.
(Memo with agenda. The supplemental services would be used as a backup to the Dial-A-Ride system during the evening hours when Dial-A-Ride service is available to the general public. Resolution approving agreement needed. Estimated cost: \$20,000; funds are budgeted.)

ACTION: Res. 80-842 adopted approving agreement. (P.T. to handle)

CONSENT

20. Recommend to Council an amendment to Section 12-3-8 of the Zoning Map - Stanislaus County Housing Authority.
(On July 7, 1980, the Planning Commission adopted Resolution 80-163 recommending to the Council an amendment to Section 12-3-8 of the Zoning Map to rezone and to prezone from R-1 to P-D(270) property located on the south side of Standiford Avenue east of Conant Avenue to allow one and two-story apartment complex. Resolution setting public hearing September 10, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-843 adopted setting public hearing. (Clerk to handle)

REPORTS

21. Report on service and bus yard expansion.
(The Corporation Yard Task Force has completed initial plan for expansion of the service and bus yards. Task Force members will be present to discuss the plans.)

ACTION: By motion (Siefkin/Lang, unan.) receipt of report acknowledged with appreciation.
Staff encouraged to proceed with application for federal funds for the bus yard,
(P.T. to handle)

CONSENT

22. Report from Ecology Action on first quarter 1980 recycling.
(Ecology Action has submitted the first quarter report for 1980. The report indicates tonnage and income generated for that period. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged,

CONSENT

23. Notice of Pacific Telephone's application for a rate increase.
(Memo with agenda. The application is for a 16% increase equal to about \$794 million/year. The residential phone bill would go up about \$2.80/month. The California Public Utilities Commission will decide the matter. Motion acknowledging receipt of the report needed.)

ACTION: By motion, receipt of report acknowledged,

MISCELLANEOUS

24. Legislation

None

25. Appointments

None

26. Matters too late for the agenda

Junior Busby asked what type of vehicles can legally be on City streets and when the new buses would be in operation,

Adjourned at 5:50 p.m. to executive session to discuss pending litigation and did not return to open session.

ATTEST: *Norrine Coyze*
NORRINE COYZE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 26, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. John Becker, Geneva Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 2A, 3, 4, 5, 6, 7, 8, 9, 17, 20, 21, 22, 23, 24, 25

ACTION: Kullijian/Muratore, unan.

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the August 19, 1980 Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

CONSENT

2. Appeal by J.E. Bright to a decision of the Planning Commission regarding rezoning of property located at 1702 Sunrise Avenue.
(Resolution setting hearing September 23, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-844 adopted setting hearing.

(Clerk to handle)

CONSENT

- 2A. Appeal by Great Valley Properties to a decision of the Planning Commission concerning rezoning of property on the southeast corner of Santa Barbara and La Loma.
(Resolution setting hearing September 23, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-845 adopted setting hearing.

(Clerk to handle)

BIDS

CONSENT

3. Consider approving specifications and authorize bids to be opened September 16, 1980, at 2:15 p.m., for furnishing one Police van.
(Requested by the Public Works Service Division, the van will be permanently dispatched to the Police Department. The unit will be used for stakeouts and surveillance and will not replace a similar unit presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$7,980. Funds are budgeted.)

ACTION: Res. 80-846 adopted calling for bids. (Finance to handle)

CONSENT

4. Consider award of contract for Briggsmore/Rose landscaping and irrigation.
(Bids were opened August 12, 1980 and the low bid of Fries Landscape Company is 9% over the engineer's estimate. The increased costs are due to recent increases in labor and materials. It is recommended that the contract be awarded to Fries Landscape Co. Resolution awarding the contract to Fries Landscape Company needed. Estimated Cost: \$18,500 Contract. Funds are budgeted.)

ACTION: Res. 80-847 adopted awarding contract, (P.W. to handle)

CONSENT

5. Consider award of contract for landscaping and irrigation of Rose-Davis-Downey parking lots.
(Bids were opened August 12, 1980 and the low bid of Rain-Scape is 17% over the engineer's estimate. The increased costs are due to recent increases in labor and materials. It is recommended that the contract be awarded to Rain-Scape. Resolution awarding the contract to Rain-Scape needed. Estimated Cost: \$13,950 Contract. Funds are budgeted.)

ACTION: Res. 80-848 adopted awarding contract, (P.W. to handle)

CONSENT

6. Consider declaring the American Rubber and Manufacturing Company low bidder meeting City specifications and authorize the purchase of replacement fire hose for the total price of \$13,154.60.
(Memorandum with agenda. Resolution awarding bid needed. Funds are budgeted.)

ACTION: Res. 80-849 adopted awarding contract. (Finance to handle)

CONSENT

7. Consider acceptance of Lee White Paving Company's contract for Muncy Neighborhood Park grading and paving improvements as complete. (Original contract: \$84,690)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Cost: \$87,732.19. Funds are budgeted.)

ACTION: Res. 80-850 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider waiving formal bid procedures and authorize the City Manager to sign a radio maintenance contract with Ray's Radio Shop for Police and Fire Department radio systems.
(Prices indicated on Schedules A & B in the memorandum with agenda. Resolution waiving formal bid and approving radio maintenance contract needed. Estimated cost: \$8,766 (Police); \$10,794 (Fire). Funds are budgeted.)

ACTION: Res. 80-851 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

9. Consider waiving formal bid procedures and authorize the purchase of three industrial gas engines from All Power Ford for the total price of \$8,520.30. (Memorandum with agenda. Resolution waiving formal bids and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-852 adopted waiving formal bid procedures. (Finance to handle)

HEARINGS

10. Informal hearing to consider adoption of a Zoning and Development Plan for the Sunnyside-Brighton Area. No. 1

ACTION: Res. 80-853 adopted (Siefkin/Lang, majority, Elliott-no) adopting the plan recommended by the Planning Commission, except for the restriction on development along Scenic Drive. (Planning to handle)

... bearing on costs of alley paving at the following locations: No. 2
BLOCK 56 - Bounded by 9th Street/10th Street - "J" Street/"I" Street

(1) Jack E. & Gloria R. Goodwin, Lots 1 and 2, \$321.24

ACTION: Res. 80-854 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(2) William P. & Margaret Correia, Lot 3, \$160.62

(Paid - dropped from agenda)

(3) Norman D. Kauffman/Robert S. Kaufman, Lots 4 and 5, \$321.24

ACTION: Res. 80-855 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(4) Cleveland J. & Jeanne H. Stockton, Portions of Lot 15, 16, 12, 13, 14 and 11, \$803.09

(Paid - dropped from agenda)

(5) George & Lois Ewell, Lot 6, \$128.49

(Paid - dropped from agenda)

(6) Loeb's Dept. Store, Inc., Portions of Lot 6 and 7, \$160.62

ACTION: Res. 80-856 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(7) Bart Bartoni, et al, & Ray E. Houghton, Portions of Lot 7 and 8, \$170.26

(Paid - dropped from agenda)

(8) City of Modesto, Portions of Lots 8 and 9, \$86.73

ACTION: Res. 80-857 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(9) Cleveland Stockton, Portions of Lots 10, 9, and 11, \$391.91

(Paid - dropped from agenda)

(10) Jeanne H. Stockton & Cleveland J. Stockton, Portion of Lot 11, \$25.70

(Paid - dropped from agenda)

(11) City of Modesto, Lots 17-28, \$1,927.47

ACTION: Res. 80-858 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(12) Carl W. & Edyth A. Lewis, Lots 29, 30, 31 and 32, \$642.47

(Paid - dropped from agenda)

BLOCK 63 - Bounded by 10th Street/11th Street--"O" Street/"N" Street

(13) Tsuneo Iwata, Lots 1, 2 and 3, \$491.85

ACTION: Res. 80-859 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(14) Charleen R. P. Wickman, Lots 4 and 5, \$327.90

(Paid - dropped from agenda)

(15) Darrel F. & Joy H. Champion, Lots 6 and 7, \$327.90

ACTION: Res. 80-860 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(16) Charleen R. P. Wickman, Portions of Lots 8 and 9, \$245.93

(Paid - dropped from agenda)

(17) Elmo & Alice M. Garcia, Portions of Lots 9 and 10, \$245.93

ACTION: Res. 80-861 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(18) William M. & Rose Marie Mineni, Lots 11 and 12, \$327.90

ACTION: Res. 80-862 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(19) Carroll D. Larsen & Geraldine L. Sharp, Lots 13 and 14, \$327.90

(Paid - dropped from agenda)

(20) Amber E. Brady, Lots 15 and 16, \$327.90

(Paid - dropped from agenda)

(21) Tony & Olga Z. Guajardo, Lots 17 and 18, \$327.90

ACTION: Res. 80-863 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(22) Rogers Jewelry Co., Lots 19, 20, 21, 22, 23 and 24, \$983.70

(Paid - dropped from agenda)

(23) Tsuneo Iwata, Lots 25 and 26, \$327.90

ACTION: Res. 80-864 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(24) Tsuneo Iwata, Lots 27, 28, 29, 30, 31 and 32, \$983.70

ACTION: Res. 80-865 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

BLOCK 84 - Bounded by 12th Street/11th Street--"J" Street/"I" Street

(25) General Electric Pension Trust, Lots 1, 2, 3, 4, 5, 6, 7, and 8, \$1,418.26

ACTION: Res. 80-866 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(26) General Services, Lots 9, 10, 11, 12, 13, 14, 15, and 16, \$1,418.26

ACTION: Res. 80-867 adopted (Lang/Siefkin, unan.) confirming report, assessing costs. (Public Works to handle)

(27) Francis R. & Joan M. Ruggieri, Lots 17, 18, 19, and 20, \$709.13

ACTION: Res. 80-868 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(28) Frank H. and Ann L. Dickason, Lots 21 and 22, \$354.57

ACTION: Res. 80-869 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(29) Tom & Dorothy Giahos, Lots 23 and 24, \$354.57

ACTION: Res. 80-870 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(30) Charles & Dorothy Boggeri, Lots 25, 26 and 27, \$531.85

(Paid - dropped from agenda)

(31) City Mall, Lots 28, 29, 30, 31 and 32, \$886.41

ACTION: Res. 80-871 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

BLOCK 85 - Bounded by 11th Street/12th Street---"J" Street/"K Street

(32) June A. Longley, Portions of Lots 8, 9 and 10, \$81.38

(Paid - dropped from agenda)

(33) United Calif. Realty Corp., Portions of Lots 10 and 11, \$244.14

ACTION: Res. 80-872 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(34) Donna L. Sutton/Jean M.R. Jones, Lots 12, 13, 14, 15 and 16, \$813.80

ACTION: Res. 80-873 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(35) Ernest V. & Evelyn E. Darpinian, Portions of Lots 17, 18, 19 and 20, \$651.04

ACTION: Res. 80-874 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(36) Fidelity Savings & Loan Assn., Portions of Lots 17, 18, 19, 20 and 21, \$81.38

(Paid - dropped from agenda)

(37) Pacific Telephone & Telegraph, Portions of Lots 22, 23 and 21, \$406.90

ACTION: Res. 80-875 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

BLOCK 86 - Bounded by 11th Street/12th Street--"L" Street/"K" Street

(38) William R. Lundgren, Portions of Lot 1 and 2, \$288.55

ACTION: Res. 80-876 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(39) Don E. & Martha J. Cowdrey, Portions of Lots 3, 4, 5 and 2, \$531.20

ACTION: Res. 80-877 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(40) Lewis N. Hawkins/Jared W. Hawkins, Jr., Lots 6 and 7, \$40.40

(Paid - dropped from agenda)

(41) Jared W. Hawkins, Jr./Lewis N. Hawkins/Orlena K.H. Adams, Lots 8 and 9, \$40.40

(Paid - dropped from agenda)

(42) Elizabeth G. Kokko/Bruce Kokko, Lots 10, 11, 12 and 13, \$655.80

ACTION: Res. 80-878 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(43) Theodore M. & Patricia A. Cook, Portions of Lots 14, 15 and 16, \$491.85

ACTION: Res. 80-879 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(44) M B C Enterprises, Lots 17, 18 and 19, \$491.85

ACTION: Res. 80-880 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(45) M B C Enterprises, Lots 20 and 21, \$327.90

ACTION: Res. 80-881 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(46) M B C Enterprises, Lots 22, 23 and 24, \$491.85

ACTION: Res. 80-882 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(47) M B C Enterprises, Lots 25 and 26, \$327.90

ACTION: Res. 80-883 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(48) Carl E. Ulrich, Jr./Mark L. & Nadine B. Dunker/David A. & Susan C. Aced, Lots 27, 28 and 29, \$491.85

(Paid - dropped from agenda)

(49) Richard C. Yates/Elizebeth L. Hampel, Lots 30, 31 and 32, \$491.85

ACTION: Res. 80-884 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

BLOCK 92 - Bounded by 12th Street/13th Street--"J" Street/"K" Street

(50) Carrie Johnson, Portions of 1, 2 and 3, \$506.85

ACTION: Res. 80-885 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(51) Knud & Grace B. Prip, Portions of 1, 2, 3 and 4, \$67.58

ACTION: Res. 80-886 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(52) Pacific Telephone, Lots 5, 6, 7, 8, 9, 10, 11 and Portion of 4, \$1,284.02

ACTION: Res. 80-887 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(53) Venaco Realty Co. Inc., Lots 12, 13, 14, 15 and 16, \$844.75

ACTION: Res. 80-888 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(54) John E. Griffin, Lots 17, 18 and 19, \$506.85

ACTION: Res. 80-889 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(55) John E. Griffin, Lots 20, 21 and Portion of 22, \$656.32

ACTION: Res. 80-890 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(56) Edward T. & Virginia P. Taylor, Lot 23 and Portions of 22 and 24, \$462.63

ACTION: Res. 80-891 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(57) John E. Griffin, Lots 25, 26 and Portions of 24 and 27, \$506.85

ACTION: Res. 80-892 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(58) Pacific Telephone, Lots 28, 29 and Portions of 27 and 30, \$506.85

ACTION: Res. 80-893 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(59) Cleveland J. Stockton/Roger M. Schrimp, Lots 31 32 and Portion of 30, \$422.38

(Paid - dropped from agenda)

BLOCK 93 - Bounded by 12th Street/13th Street--"J" Street/"I" Street

(60) Jessie V. Trueblood, Lots 8 and 9, \$334.57

(Paid - dropped from agenda)

(61) Frank C, Jr. & Lidwiena Damrell, Lots 10, 11 and 12, \$501.85

ACTION: Res. 80-894 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(62) Roy E. & Anna K. Campbell/Floyd & Bernice Ollenberger/Rudy Dekleva, Lots 13, 14, 15 and 16, \$669.13

ACTION: Res. 80-895 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(63) Title Ins. & Trust Co., Lots 17, 18, 19 and 20, \$669.13

ACTION: Res. 80-896 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(64) Darrell M. Broome/Robert Baird/Lots 21 and 22, \$334.57
and Mario Favinci

ACTION: Res. 80-897 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(65) Evelyn Hall, Lots 23 and 24, \$334.57

(Paid - dropped from agenda)

(66) The Ohio National Life Ins., Lots 25 and 26, Portion of 27, \$361.00

ACTION: Res. 80-898 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(67) Basic Resources, Inc., Lots 28, 29, 30, 31, 32 and Portion of Lot 27,
\$1,152.26

ACTION: Res. 80-899 adopted (Lang/Siefkin, unan.) confirming report, assessing costs
and directing method of collection. (Public Works to handle)

(68) Basic Resources, Inc., Lots 1, 2, 3, 4, 5, 6 and 7, \$1,170.98

ACTION: Res. 80-900 adopted (Lang/Siefkin, unan.) confirming report, assessing costs
and directing method of collection. (Public Works to handle)

BLOCK 94 - Bounded by 12th Street/13th Street--"I" Street/"H" Street

(69) Cannery Workers Union #748, Lots 1 and 2, \$321.24

(Paid - dropped from agenda)

(70) Ignazio Grimaldi, Lots 3 and 4, \$321.24

ACTION: Res. 80-901 adopted (Lang/Siefkin, unan.) confirming report, assessing costs
and directing method of collection. (Public Works to handle)

(71) E. Paul & Doris A. Fulfer/Ernest & Norma J. LaCoste/Steven M. Luse, Lots
5, 6, 7, 8 and 9, \$803.09

ACTION: Res. 80-902 adopted (Lang/Siefkin, unan.) confirming report, assessing costs
and directing method of collection. (Public Works to handle)

(72) Crocker-Citizens Natl. Bank/Carolyn Jamison/Mary Ann Abbey, Lots 10, 11,
12, 13, 14, 15 and 16, \$1,124.32

(Paid - dropped from agenda)

(73) E. Dean & Katherine M. Price/Robert W. & Mary R. Crabtree, Lots 17, 18, 19
20, \$642.47

ACTION: Res. 80-903 adopted (Lang/Siefkin, unan.) confirming report, assessing costs
and directing method of collection. (Public Works to handle)

(74) Harry D. Jewell W. Crow, Lots 21, 22 and 23, \$481.85

(Paid - dropped from agenda)

(75) Edward & Velma M. Johnson, Lots 24 and 25, \$321.24

(Paid - dropped from agenda)

(76) Western Title Guaranty Co., Lots 26, 27 and 28, \$481.85

ACTION: Res. 80-904 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

(77) City of Modesto, Lots 29, 30, 31 and 32, \$642.47

ACTION: Res. 80-905 adopted (Lang/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Public Works to handle)

12. Hearing on amendment to P-D(263) located south of Blue Gum east of Morse, to allow one additional dwelling unit. (Rule Enterprises) No. 3

ACTION: Res. 80-906 adopted (Muratore/Elliott, unan.) amending development plan and certifying review of the environmental assessment. (Clerk/Planning & Community Development)

13. Hearing on amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D to allow conversion of existing apartments to condominiums, property located at the northeast corner of Coffee Road and Sylvan Meadows Drive. (R.B. Welty & Associates for Doug Metcalfe) No. 4

ACTION: By motion (Lang/Kullijian, unan.) Ord. No. 1975-C.S. introduced.
Res. 80-907 adopted (same vote) approving development plan. (Clerk/Planning to handle)

14. Hearing on amendment to Sections 22-3-9 and 27-3-9 of the Zoning Map to rezone from R-1 to P-D to allow a one and two-story condominium development, property located on the west side of Brighton, south of Irons Court. (James R. Corn Enterprises, Inc.) No. 5

ACTION: A motion to approve was withdrawn.

By motion (Lang/Muratore, majority, Elliott, Siefkin-no) action on this item delayed three weeks to allow staff to study extension of Lucerne and traffic circulation. (Planning to handle)

15. Hearing to consider abandonment of portions of 10th & C Streets and the alley in Block 501. (S & W Fine Foods, formerly Funsten's) No. 6

ACTION: By motion (Lang/Siefkin, unan.) intention indicated to abandon the property when the necessary documents concerning easements and lease agreements are signed. (Planning to handle)

16. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

Junior Busby mentioned that none of the buses equipped with wheelchair lifts would be going to Vintage Faire. The Mayor will discuss the problem with the Handicapped Committee.

8/26/80

ORDINANCES

CONSENT

17. Final adoption of Ord. No. 1974-C.S. amending the Modesto Municipal Code Sections concerning shopping center identification signs.
(Motion adopting needed.)

ACTION: By motion, ordinance adopted, (Clerk to handle)

UNFINISHED BUSINESS

18. Report regarding a request from the Westside Ministers Alliance to amend the City ordinance regulating gambling.
(Memorandum with agenda. Motion acknowledging receipt of report and giving additional direction to staff needed.)

ACTION: By motion (Elliott/Lang, unan.) receipt of report acknowledged and directing staff to send a letter to the Westside Minister's Alliance about the Council's concerns. (Police to handle)

19. Consider request of Robert R. Braden, Mid-Valley Engineering, for additional driveway access to Coffee Road south of Briggsmore Avenue.
(This request was received by the Council on May 27, 1980, and was referred to staff for recommendation. Report from Director of Planning and Community Development with agenda. Motion denying request or indicating Council's intention of granting request subject to the filing of a revised parcel map needed.)

ACTION: By motion (Bright/Kullijian, majority, Elliott-no) Council approval granted subject to filing of revised parcel map.

NEW BUSINESS

CONSENT

20. Set a hearing to consider a request by S.P.M. Development Company to substitute a landscaping contractor on the East La Loma Park project.
(Section 4107 and following of the Government Code provide mandatory procedures for the removal and substitution of subcontractors on a project. The hearing is required to allow both parties to present arguments before the Council prior to acting on the request. Memo with agenda. Resolution setting hearing September 2, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-908 adopted setting hearing. (Clerk to handle)

CONSENT

21. Consider request for sewer service to property outside City limits at 1108 Reno Avenue, located on the east side of Reno Avenue between Woodland Avenue and Kansas Avenue. Owners: Camanche Corporation.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-909 adopted approving agreement . (P.W. to handle)

CONSENT

22. Consider approving purchase agreement and lease agreement with Kias A. and Gwendolee Williams on one lot needed for the Tuolumne River Regional Park. (Memo with agenda from Chairman of Regional Park Committee. The Williams' have agreed to sell the required lot for the appraised value of \$23,000. The lot is located on the south bank of the Tuolumne River and it is the 20th lot purchased in this area for the Park. Part of the agreement also calls for the Williams' to lease the subject lot back for an indefinite time for \$1 per year, maintenance of the lot and paying taxes. The agreements have already been approved by Ceres and Stanislaus County. Estimated Cost: \$23,000; Estimated Escrow: \$1,000; Total Cost: \$24,000; funds are budgeted. Resolutions approving purchase agreement and lease agreement needed.)

ACTION: Res. 80-910 adopted approving purchase agreement. (P.W. to handle)
Res. 80-911 adopted approving lease agreement.

CONSENT

23. Consider approving lease agreement with Kias A. Williams and Gwendolee Williams on 3 lots that the City of Ceres, City of Modesto and the County of Stanislaus own for the Tuolumne River Regional Park.
(The City of Modesto is authorized by the terms of the T.R.R.P. agreement to lease property for periods of less than 13 months. The subject lease is for one year and calls for a rent of \$1.00 with the Williams' maintaining the lots and paying taxes. The lots have very limited appeal and must be maintained by us. Therefore, the lease agreement will save money. Resolution approving lease agreement needed.)

ACTION: Res. 80-912 adopted approving lease agreement. (P.W. to handle)

REPORTS

CONSENT

24. Annual Report of Affirmative Action for the City of Modesto.
(Memorandum with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

25. Trailways application for fare increase.
(Memo with agenda. Fares and package rates would be increased 17%. Trailways charges are presently about 19% below Greyhound's. It is recommended that this matter be left to the P.U.C. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

26. Legislation

None

27. Appointments

None

28. Matters too late for the agenda

- (a) Announcement that September 9, 1980 Council meeting will be on September 10, 1980, at 7:30 p.m., due to Admission Day Holiday.

Adjourned at 11:20 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 2, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Mark Randy, Church of Jesus Christ

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24

REMOVED FROM CONSENT: 20

ACTION: (Siefkin/Muratore, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the Council meeting of August 26, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

2. Request by residents of the 100 block of Maynell Avenue that their street be closed at McHenry on Friday and Saturday nights.
(Motion referring to staff for recommendation needed.)

ACTION: By motion, referred to staff for recommendation. (Police to handle)

3. Request from Mid Valley Engineering to continue the hearing on the appeal by Airport Assembly of God on rezoning of property between Encina and Roble west of Fortuna.

ACTION: Letter received from Mid Valley requesting that entire application be withdrawn - to be acted upon during hearing set for September 10, 1980.

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for the construction of Pump Station No. 44.
(Suggested bid opening: September 23, 1980 at 11:05 a.m. The construction of this pump station will increase the capacity of the water system in the west side of the City needed due to increased development on the west side of Modesto. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$135,850.07 (Contract \$121,227.34; Engineering & Cont. \$14,622.73); Transfer will be made after bids are received and the exact amount needed to construct the project can be determined. Funds are budgeted and available in Reserves.)

ACTION: Res. 80-913 adopted calling for bids. (Clerk to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the construction of subtrunk sewer in Blue Gum Avenue between Poust Road and Carpenter Road.
(Suggested bid opening: September 23, 1980 at 11:00 a.m. The construction of this sewer will provide the developing area with sewer service. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$247,731 (Contract \$235,931; Engineering \$11,800); funds are budgeted.)

ACTION: Res. 80-914 adopted calling for bids. (Clerk to handle)

CONSENT

6. Consider acceptance of the contract of Mac's Backhoe Service for construction of waterline extension at Scenic and Claus. (Original contract: \$25,889.40)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$27,681.50; funds are budgeted.)

ACTION: Res. 80-915 adopted accepting work as complete. (Clerk to handle)

CONSENT

7. Consider acceptance of the contract of Rolfe Construction for construction of sewer extension in Palmwood Drive as complete. (Original contract and final cost: \$7,834)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-916 adopted accepting work as complete. (Clerk to handle)

HEARINGS

8. Hearing to consider amendment to Section 10-2,225.1 of the Zoning Regulations and to the Family Amusement Machine Center Policy. No. 1

ACTION: By motion (Elliott/Muratore, unan.) Ord. 1976-C.S. introduced amending zoning regulations.

By motion (Muratore/Siefkin, majority, Kullijian-no) denied adoption of emergency ordinance for above amendment. (Clerk to handle)

9. Hearing to consider amendment to Section 14-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on the north side of Merle Avenue east of Oakdale Road. (Allen Grant) No. 2

ACTION: By motion, Ord. 1977-C.S. introduced (Bright/Elliott, unan.) approved rezoning.

Res. 80-917 adopted (same vote) certifying review of environmental assessment report. (Clerk/Planning to handle)

10. Hearing to consider amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-D(273) to allow a professional office complex, property located on the southwest corner of E. Orangeburg and Oakdale Road. (Oakwood Builders) No. 3

ACTION: Motion to approve failed to carry.

Res. 80-918 adopted (Siefkin/Elliott, majority, Lang, Muratore-no) denying amendment without prejudice.

11. Hearing to consider an amendment to Section 22-3-9 of the Zoning Map to rezone from R-3 to P-0, property located at the northwest corner of E. Orangeburg and Oakdale Road. (Zagaris Management Services) No. 4

ACTION: Res. 80-919 adopted (Siefkin/Elliott, majority, Lang-no) denying amendment without prejudice.

Councilmember Lang excused at 6:15 p.m.

12. Hearing to consider a request by S.P.M. Development Company to substitute a landscaping contractor on the East La Loma Park project. No. 5

ACTION: By motion (Muratore/Elliott, unan., Lang absent) approved continuance to September 10, 1980, at 7:30 p.m. and indicated intent to approve substitute contractor.

13. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

14. Final adoption of Ord. No. 1975-C.S. rezoning from R-2 to P-D(271) property located at the northeast corner of Coffee Road and Sylvan Meadows Drive. (R. B. Welty & Associates for Doug Metcalfe)

ACTION: By motion, Ordinance 1975-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

15. Consider approval of the final map of the Northlake subdivision of the City of Modesto. This subdivision is a conversion of an apartment complex to condominiums and no agreement is required. Subdividers: Contek Associates. (All fees have been paid for this condominium conversion. Northlake is located on the north side of Floyd Avenue, east of Coffee Road. It contains 6.900 acres. Resolution approving final map needed.)

ACTION: Res. 80-920 adopted approving final map. (Clerk to handle)

CONSENT

16. Consider acceptance of improvements in Whitmore Industrial Park No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdivider: Rule Enterprises (Whitmore Industrial Park No. 1 subdivision is located north of Whitmore Avenue and east of Crows Landing Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-921 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

17. Consider approving concession agreement with Waiser Travel Service, Inc. at City/County Airport. (This is a renewal of an existing concession agreement. Agreement is for three years and expires June 30, 1983. Concession is for sale of air travel insurance at the airport. Resolution approving concession agreement needed.)

ACTION: Res. 80-922 adopted approving concession agreement. (P.W. to handle)

CONSENT

18. Consider approving lease agreement with E. & J. Gallo Winery for Hangar No. 6 at the City-County Airport.
(This is a renewal of an existing lease agreement. Lease is for three years and expires June 30, 1983. Lease is for Hangar No. 6 at the City-County Airport. Resolution approving lease agreement needed.)

ACTION: Res. 80-923 adopted approving lease agreement. (P.W. to handle)

CONSENT

19. Consider request for sewer service to property outside City limits at 550 Trask Lane, located on the northeast side of Trask Lane and Ada Street. Owners: Bob G. and Oleta Christine Bradford.
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-924 adopted approving agreement. (P.W. to handle)

20. Consider adoption of Resolution of Intention to approve amendment to agreement with Public Employees' Retirement System for an increase in retirement benefits for City of Modesto retired employees.
(Memo with agenda. Resolution authorizing adoption of Resolution of Intention needed.)

ACTION: Res. 80-925 adopted (Muratore/Bright, unan., Lang absent) approving amendment to contract. (Management Services to handle)

CONSENT

21. Consider amendment to Position Classification Plan and Salary Plan.
(Memorandum with agenda. Amendment creates a Purchasing Assistant I classification, changes Purchasing Assistant to Purchasing Assistant II, and reallocates Storeskeeper I position to Purchasing Assistant I. Resolution amending position classification needed, and resolution amending salary plan needed.)

ACTION: Res. 80-926 adopted amending position classification plan.
Res. 80-927 adopted amending salary plan. (Management Services to handle)

CONSENT

22. Consider setting public hearing on the acquisition of the Ramont's property (Jefferson at Chestnut) for expansion of the City's bus service yard.
(Memo with agenda. A public hearing is required to complete the federal grant application that will fund 80% (\$132,000) of this land acquisition. The remaining 20% (\$33,000) will be paid with Local Transportation Funds. Resolution setting public hearing on October 21, 1980 at 4:00 p.m. needed. Funds are budgeted.)

ACTION: Res. 80-928 adopted setting hearing. (Clerk to handle)

CONSENT

23. Recommend to Council an amendment to P-D(133) - Vintage Hot Tub.
(On August 18, 1980, the Planning Commission adopted Resolution 80-203 recommending to the City Council an amendment to P-D(133) to permit individual spas available to the public, property located at the northwest corner of Tully Road and Standiford Avenue. Resolution setting public hearing on September 23, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-929 adopted setting public hearing. (Clerk to handle)

CONSENT

24. Consider joining in amicus curiae briefs in the following cases:

- (1) San Diego Gas & Electric Co. v. City of San Diego which is an issue of constitutional right to damages in inverse condemnation due to zoning actions.
- (2) City and County of San Francisco v. Farrell which is an action by which the city seeks to have validated a post-Proposition 13 increase in tax measures which are comparable to city business license taxes.
- (3) Hubbard vs. Boelt which is pending in the Supreme Court on petition of the City of San Diego as intervenor with other factually similar cases involving the applicability of the "firemen's rule."

(Memo with agenda. Motion authorizing participation in three amicus curiae briefs needed.)

ACTION: By motion, participation in three amicus curiae briefs authorized.

Item 26 taken out of order because of citizens in audience.

REPORTS

25. Renaissance Committee report on Downtown Parking.
(Memo with agenda. Report covers parking meters, time limits, off-street parking fees, and enforcement. Motion directing staff needed.)

ACTION: By motion (Muratore/Siefkin, unan., Lang absent) adopted approving report and directing staff to look into use of parking meter posts for bike parking.

26. Report regarding use of McHenry Museum Auditorium.
(Modesto Color Camera Club requested permission to meet in Museum Auditorium. The staff is recommending approval and acceptance of policy. Memo with agenda. Resolution approving policy and setting fees needed and motion approving Camera Club's request needed. Estimated cost: \$1,284; funds are budgeted.)

ACTION: Res. 80-930 adopted approving policy (Elliott/Kullijian, unan., Lang absent)

Res. 80-931 adopted (same vote) setting fees.

By motion (same vote) Modesto Color Camera Club request to meet in Museum Auditorium approved. (P/R to handle)

MISCELLANEOUS

27. Legislation

ACTION: By motion (Kullijian/Siefkin, unan., Lang absent) AR 6417 supported.
By motion (Muratore/Siefkin, unan., Lang absent) SB 1480 supported.

28. Appointments

None

29. Matters too late for the agenda

None

It was noted that the next Council meeting will be Wednesday, September 10, 1980, due to a holiday.

Adjourned at 6:40 p.m.

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF WEDNESDAY, SEPTEMBER 10, 1980, at 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Bob Pollard, Calvary Temple Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 16, 17, 18, 19, 20, 21, 22, 23, 25

ACTION: (Lang/Muratore, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of minutes of the Council meeting of September 2, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Request by League of California Cities for designation of voting delegate and alternate for the annual League of California Cities' Conference.
(Motion naming voting delegate and alternate needed.)

ACTION: By motion (Lang/Kullijian, unan.) Councilmember Elliott named as voting delegate and Councilmember Lang as alternate voting delegate.

BIDS

CONSENT

3. Consider award of contract for the construction of waterline extension in Panama Avenue.
(Bids were opened September 2, 1980. The low bid of \$20,110, submitted by Rolfe Construction, is 3% below the Engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Rolfe Construction needed. Estimated Cost: \$22,725 (Contract \$20,110; Eng. \$2,615). Funds are budgeted.)

ACTION: Res. 80-932 adopted awarding contract. (P.W. to handle)

CONSENT

4. Consider award of contract for the construction of waterline extension in Floyd Avenue.
(Bids were opened September 2, 1980. The low bid of \$15,385.50, submitted by Joe Martin Pipeline Inc., is 31.4% below the Engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Estimated Cost: \$18,128.50 (Contract \$15,385.50; Eng. \$2,743). Funds are budgeted.)

ACTION: Res. 80-933 adopted awarding contract. (P.W. to handle)

CONSENT

5. Consider acceptance of Valley Slurry Seal's contract for slurry seal program - 1980-81 as complete. (Original contract: \$42,184.51)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$42,184.51. Funds are budgeted.)

ACTION: Res. 80-934 adopted accepting work as complete. (Clerk to handle)

CONSENT

6. Consider declaring Dow Hammond low bidder and authorize the purchase of one catch basin cleaner truck for the total price, including trade-in, of \$77,013.39.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-935 adopted authorizing purchase. (Finance to handle)

CONSENT

7. Consider Howell & Schmidt request for substitution of two (2) subcontractors on their project for the addition to and modification of the Fire Prevention Bureau at 11th and "F" Streets.
(Section 4107 and following of the Government Code provides for substitution of subcontractors on a project when approved by the awarding authority. Since neither subcontractor objects it is in order to approve the substitution. Memo with agenda. Resolution approving substitution of two (2) subcontractors needed.)

ACTION: Res. 80-936 adopted approving substitution. (P.W. to handle)

CONSENT

8. Consider approval of purchase order to C.P. Construction for \$3,798 for the installation of sewer monitoring station at Hosmer and 9th Street. (Staff has requested quotes from two contractors to install the sewer monitoring equipment purchased by the City to monitor sewage from the northerly portion of Ceres. The low quote was received from C.P. Construction for \$3,798. Resolution approving issuance of purchase order needed. Funds are budgeted.)

ACTION: Res. 80-937 adopted approving issuance of a purchase order. (Finance to handle)

HEARINGS

9. Appeal by Airport Assembly of God to a decision of the Board of Zoning Adjustment concerning a conditional use permit for a church and child care center between Encina and Roble, west of Fortuna. (Continued from August 12, 1980 meeting. A letter was received from Mid Valley Engineering requesting that the entire application be withdrawn.) No. 1

ACTION: By motion (Elliott/Bright, unan.) acknowledged receipt of request to withdraw application,

10. Appeal by David A. Basmajian to a decision of the Planning Commission concerning zoning of property at 107 Hintze. No. 2

ACTION: Res. 80-938 adopted (Siefkin/Lang, unan.) denying appeal and supporting decision of Planning Commission.

11. Hearing to consider an amendment to P-D(3) to allow conversion of existing apartments to condominiums, property located at the southwest corner of Kavanagh and MacDougal. (Marshall Perry) No. 3

Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Kullijian/Muratore, unan., Lang absent) Ord. 1978-C.S. introduced amending P-D(3).

Res. 80-939 adopted (same vote) approving development plan.

(Clerk/Planning to handle)

12. Hearing to consider an amendment to Section 32-3-9 of the Zoning Map to rezone from C-1 to P-0, property located at the easterly corner of Third and I Streets. (Kieu Cong Tran) No. 4

ACTION: By motion (Lang/Bright, unan.) Ord. No. 1979-C.S. introduced rezoning C-1 to P-0. Res. 80-940 adopted (same vote) certifying review of environmental assessment report. (Clerk/Planning to handle)

13. Hearing to consider an amendment to Section 12-3-8 of the Zoning Map to rezone and to prezone from R-1 to P-D(270) property located on the south side of Standiford Avenue, east of Conant Avenue to allow one and two-story apartment complex. (Stanislaus County Housing Authority) No. 5

ACTION: By motion (Elliott/Bright, unan.) Ord. No. 1980-C.S. introduced amending Sec. 12-3-8 to rezone and prezone from R-1 to P-D(270) with provisions for Central T.V. antenna services.

Res. 80-941 adopted (same vote) approving development plan.

Res. 80-942 adopted (same vote) certifying review of environmental assessment report. (Clerk/Planning to handle)

14. Hearing to consider a request by S.P.M. Development Company to substitute a landscaping contractor on the East La Loma Park project. (Continued from the September 2, 1980 Council meeting.) No. 6

ACTION: Res. 80-943 adopted (Elliott/Kullijian, unan.) denying request to substitute.

15. Matters for the good of the community. (These may be presented by interested persons in the audience.)

Mr. Howell, 117 Hintze, wants his curb redlined, wants bike lane on McHenry between canal and Brigsmore. Council agreed to refer to staff for investigation. (P.T. to handle)

ORDINANCES

CONSENT

16. Final adoption of the following:

- a. Ord. No. 1976-C.S. amending the Municipal Code relating to Family Amusement Machine Centers.
- b. Ord. No. 1977-C.S. rezoning from R-1 to R-2, property located on the north side of Merle Avenue, east of Oakdale Road. (Allen Grant)

(Motion approving needed.)

ACTION: By motion, Ordinances adopted,

NEW BUSINESS

CONSENT

17. Recommend to Council the vacation and abandonment of the 6-foot walkway in Blocks 13122 and 13125 located north of Eldon Way.
(On August 4, 1980, the Planning Commission adopted Resolution 80-188 recommending to the City Council the vacation and abandonment of the 6-foot walkway in Blocks 13122 and 13125 located north of Eldon Way. Resolution setting public hearing October 7, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-944 adopted setting hearing. (Clerk to handle)

CONSENT

18. Recommend to Council the vacation and abandonment of a portion of the 20-foot public alley in Block 333, east of Rosedale, south of Sierra.
(On July 7, 1980, the Planning Commission adopted Resolution 80-159 recommending to the City Council the vacation and abandonment of a portion of the 20-foot public alley in Block 333, east of Rosedale Avenue, south of Sierra Drive. Resolution setting public hearing October 7, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-945 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider approving Modesto's participation in the Stanislaus County Arson Task Force.
(Memo with agenda. Resolution authorizing City Manager to sign joint powers agreement needed.)

ACTION: Res. 80-946 adopted authorizing City Manager to sign joint powers agreements. (Fire to handle)

CONSENT

20. Consider adoption of Resolution of Application to LAFCO for Scenic-Oakdale No. 2 Annexation.
(The proposed annexation is a substantially developed 5.241 acre island located on the south side of Scenic Drive west of Oakdale Road. This 12 lot area is the last of seven islands which could be annexed under the island annexation proceedings. Maps and information with agenda. Resolution of application initiating annexation proceedings needed.)

ACTION: Res. 80-947 adopted initiating annexation proceedings, (Clerk/Planning to handle)

CONSENT

21. Consider the Dry Creek No. 4 Governmental Reorganization to the City of Modesto. (On August 20, 1980, LAFCO approved this uninhabited annexation which was initiated by a petition of property owners. The governmental reorganization would include annexation to the City, detachment from the Empir Fire Protection District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. This annexation includes a property presently under Williamson Act Contract. The City Council has protested this contract (Res. No. 73-727). Resolution ordering the Dry Creek No. 4 Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed, and resolution electing not to succeed to the Williamson Act Contract needed.)

ACTION: Res. 80-948 adopted ordering annexation of Dry Creek No, 4,
Res. 80-949 adopted electing not to succeed to the Williamson Act Contract.
(Clerk/Planning to handle)

CONSENT

22. Adjustment of revenue estimates of 1980-81 Final Budget. (Memo with agenda. Resolution amending the 1980-81 Final Budget needed.)

ACTION: Res. 80-950 adopted anending the 1980-81 Final Budget. (Finance to handle)

CONSENT

23. Set public hearing to consider amendment of Ord. No. 1766-C.S., Modesto Cable TV franchise. (Minor extensions of time for the installation of educational circuits have been approved by the schools and recommended by Cablecom of Modesto. Report with agenda. Resolution setting public hearing September 23, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-951 adopted setting hearing, (Clerk to handle)

REPORTS

24. Consider accepting a report concerning requests to barricade Griswold Avenue and Helen Avenue on Friday and Saturday nights, and to further direct staff whether or not the streets will be closed on these two nights. (Report with agenda. Motion accepting report and giving additional direction to staff needed.)

ACTION: By motion (Muratore/Kullijian, unan,) accepted recommendations not to close Griswold and Helen Avenues,

CONSENT

25. Report of Greyhound Lines' request for a 5.2% increase.
(Memo with agenda. Request is to raise fares and package rates by 5.2%. The last raise (2.7%) was in December, 1979. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

26. Legislation

None

27. Appointments

None

28. Matters too late for the agenda

- a. Golden Gate Airlines application for modification of the transitional essential air service requirement to Modesto.

ACTION: Res. 80-952 adopted (Kullijian/Muratore, unan.) approving recommendations, including item 1, as amended. (P.W. to handle)

Adjourned at 9:55 p.m.

ATTEST:



JUDY C. HALL, Acting City Clerk

MINUTES AND COUNCIL AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 16, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore,
Siefkin, Mayor Mensinger

Absent: Councilmember Kullijian

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 6, 7, 8, 12, 14, 15,
Items 5 and 29 dropped from agenda, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28,

ACTION: (Muratore/Elliott, unan., Kullijian absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the Council meeting of September 10, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved,

COMMUNICATIONS

CONSENT

2. Letter from Downtown Improvement District requesting the use of Downtown sidewalks for the White Elephant Days Sidewalk Sale on September 17, 18, 19, and 20, 1980.
(Motion approving request needed.)

ACTION: By motion, request approved,

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for the terminal transient aircraft parking apron expansion and terminal access road. (FAA-ADAP 8-06-0153-08)
(Suggested bid opening: October 7, 1980, at 11:05 a.m. This project is part of the Airport Capital Improvement Program. It is being funded by FAA 80%, County 10%, and City 10%. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$259,898 (Contract \$231,721; Engrg. \$28,177); funds are budgeted.)

ACTION: Res. 80-953 adopted calling for bids.

(P.W. to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for McHenry Museum heating, ventilating, air conditioning and lighting.
(This project is budgeted to provide new heating air conditioning, lighting and electrical facilities at the museum. Suggested bid opening is September 30, 1980, at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$191,780 (Const. \$172,780; Engrg. \$19,000); funds are budgeted.)

ACTION: Res. 80-954 adopted calling for bids.

(P.W. to handle)

5. Consider award of contract for commercial alley improvements, Phase 2.
(Bids were opened September 10, 1980, and the low bid of \$92,297.20, submitted by American Asphalt Specialist, is 9% below the engineer's estimate and is considered acceptable. It is, therefore, recommended to award the contract to them. Resolution awarding contract to American Asphalt Specialist needed. Estimated cost: \$102,446.20 (Contr. \$92,297.20 Engrg. \$10,149); funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

6. Consider award of contract for masonry wall at Fire Station No. 6, Block 13530.
(Bids were opened September 10, 1980, and the low bid of Thomas Masonry is 13% above the engineer's estimate. The increased costs are due to recent increases in labor and materials. It is recommended that the contract be awarded to Thomas Masonry. Resolution awarding contract to Thomas Masonry needed. Estimated cost: \$12,603 (Contr. \$11,603; Engrg. \$1,000); funds are budgeted.)

ACTION: Res. 80-955 adopted awarding contract.

(P.W. to handle)

CONSENT

7. Consider acceptance of The Flimtkote Company's contract for improvement of Capistrano Drive at park site as complete. (Original contract: \$8,635) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$8,440; funds are budgeted.)

ACTION: Res. 80-956 adopted accepting work as complete. (Clerk/P.W. to handle)

CONSENT

8. Consider acceptance of Argosy Construction's contract for improvement of Morris Avenue from College Avenue to McHenry Avenue as complete. (Original contract: \$106,432.70) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$97,271.13; funds are budgeted.)

ACTION: Res. 80-957 adopted accepting work as complete. (Clerk/P.W. to handle)

HEARINGS

9. Annex Carpenter Road No. 2 Annexation to the Modesto Municipal Sewer District No. 1. No. 1

unan.

ACTION: Res. 80-958 adopted (Elliott/Siefkin, Kullijian absent) annexing to Sewer District. (Atty/Clerk to handle)

10. Hearing on amendment to Sections 22-3-9 and 27-3-9 of the Zoning Map to rezone from R-1 to P-D to allow a one and two-story condominium development, property located on the west side of Brighton, south of Irons Court. (James R. Corn Enterprises, Inc.) (Continued from the Council meeting of August 26, 1980.) No. 2

ACTION: By motion (Lang/Muratore, unan. Kullijian absent) consideration of east-west connection in Sunnyside-Brighton area dropped.

By motion (same vote) Ord. 1981-C.S. introduced.

Res. 80-959 adopted (same vote) approving development plan.

Res. 80-960 adopted (same vote) certifying review of environmental assessment report. (Planning to handle)

11. Matters for the good of the community. (These may be presented by interested persons in the audience.)

Councilmember Lang introduced Debbie Kline, Modesto High School student.

UNFINISHED BUSINESS

CONSENT

12. Adoption of Renaissance Committee recommendations on downtown parking. (Memo with agenda. On 9/2/80 the City Council approved the Renaissance Committee recommendations. A resolution implementing the recommendation has been drafted and is ready for approval. Resolution establishing off-street parking facilities, providing for control thereof, and rescinding Resolution No. 79-715 needed. Estimated cost: \$4,000; funds are budgeted.)

ACTION: Res. 80-961 adopted establishing off-street parking facilities and rescinding Res. No. 79-715. (P.T. to handle)

13. Continuation of hearing on Mid-Valley Engineering's appeal on location of sewer and water lines for parcel near 9th and Carver. The appeal was first heard on August 5, 1980, and it was continued for further investigation by the appellant and the staff.
(A mutually satisfactory arrangement has been agreed upon between the staff and the appellant on the condition that the City obtain a public utility easement along 9th Street on an adjoining parcel. City right of way agents are negotiating with owner. Appellant desires to reopen hearing in event the public utility easement cannot be obtained. Staff position remains essentially as outlined in the July 18, 1980 memo to Council. Memo with agenda. Resolution granting or denying appeal needed.)

ACTION: Res. 80-962 adopted (Muratore/Bright, unan., Kullijian absent) denying appeal but indicating intent to approve alternative 4 if easement is not obtained within 180 days. (P.W. to handle)

NEW BUSINESS

CONSENT

14. Consider approval of the final map and acceptance of improvements in Hacienda Estates subdivision of the City of Modesto. Subdividers: Wilbur F. Earley, and Stanley W. and Charlotte E. Smith.
(All improvements have been completed to the satisfaction of the Public Works Department, and all fees have been paid. A subdivision agreement is not needed as the improvements are completed. Hacienda Estates is located on the west side of Coffee Road, south of Thorsen Avenue. It contains 1.866 acres. Resolution approving final map needed.)

ACTION: Res. 80-963 adopted approving final map. (Clerk to handle)

CONSENT

15. Consider approval of the final map of Woodglen Park No. 4 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Joaquin Construction Co., Inc.
(The subdivision agreement has been signed and all fees paid. Woodglen Park No. 3 is located west of Dale Road and south of Snyder Avenue. It contains 5.278 acres. Resolution approving final map needed.)

ACTION: Res. 80-964 adopted approving final map. (Clerk to handle)

CONSENT

16. Requirement for construction of curbs and/or sidewalks at the locations listed below. (80-02-06 - 80-04-07)
(Informal requests were sent to the property owners over 30 days ago. As the work as not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting hearing October 14, 1980 at 7:30 p.m. needed.

- a. Curb and sidewalk at 1135 E. Orangeburg Avenue, a portion of Block 1185 (Ayres and Paker)
- b. Curb and sidewalk at 233 E. Orangeburg Avenue, a portion of Block 1193. (North Modesto Freewill Baptist Church)
- c. Sidewalk along E. Orangeburg Avenue at 405 E. Orangeburg Avenue, a portion of Block 1190. (June D. Jewett)
- d. Sidewalk along E. Orangeburg Avenue at 608 E. Orangeburg Avenue, a portion of Block 1139. (Randy S. Krum)
- e. Curb and sidewalk at 413 E. Orangeburg Avenue, a portion of Block 1190. (Bobby A. Roberts)
- f. Sidewalk at 515 E. Orangeburg Avenue, a portion of Block 1189. (Stewart & Stewart)
- g. Sidewalk at 1216 E. Orangeburg Avenue, a portion of Block 1144. (Louis E. Tartini)
- h. Sidewalk along E. Orangeburg Avenue at 218 E. Orangeburg Avenue, a portion of Block 1135. (Jim D. Webb)
- i. Sidewalk at 1208 E. Orangeburg Avenue, a portion of Block 1144. (Paul M. Zagaris)
- j. Curb and sidewalk at 1220 E. Orangeburg Avenue, a portion of Block 1144 (Paul M. Zagaris)
- k. Curb at 1515 Encina Avenue, a portion of Block 2168. (Victor H. Christensen)
- l. Curb and sidewalk at 1339 Fiori Avenue, a portion of Block 1138. (Hazel I. MacDannald)
- m. Curb at 1305 Fiori Avenue, a portion of Block 1138. (Carl T. Wildermuth)

ACTION: Res. 80-965 adopted setting hearing.

(Clerk/P.W. to handle)

17. Consideration of City issuance of mortgage revenue bonds prior to January 1, 1981. (Memo from Public Projects Committee with agenda. If Council wishes to proceed, Committee urges that final authorization be withheld until the City Council has had an opportunity to review a draft of the terms of the bond issue. Motion accepting Committee's report and if wishing to proceed, directing staff to proceed with development of a mortgage revenue bond issue. Terms of bond issue to be considered by City Council prior to authorization of a bond issue.)

ACTION: By motion (Siefkin/Bright, majority, Lang-no, Kullijian absent) staff directed to develop information regarding options, with understanding that a final decision on whether or not to proceed to be made in one week, (Planning/Finance to handle)

Councilmember Bright excused at 5:55 p.m.

18. Consider application for an EDA Planning Grant for business development loan program. (Memorandum with agenda. Motion directing staff to submit the Economic Development Planning grant application to the OEDP Committee for inclusion in the OEDP needed. Estimated cost: \$31,250 - in kind match.)

ACTION: By motion (Lang/Siefkin, unan., Bright, Kullijian absent) staff directed to submit E.D.A. Planning Grant application to the OEDP Committee for inclusion in the OEDP. (Mgmt, Services to handle)

19. Consider request by John Tatoyan for removal of City tree on Burchell Court. (Memorandum with agenda. Motion approving or denying request needed.)

ACTION: Motion to replace with smaller tree failed,
Motion to deny failed.

Continued to the meeting of October 7, 1980, at 4:00 p.m.

CONSENT

20. Consider authorizing the expenditure of \$2,000 by the Housing Program Office to purchase and install smoke detectors in the residences being rehabilitated in Target Area No. 3. (This request has been reviewed and recommended for approval by Neighborhood Advisory Committee No. 3, the Rehabilitation Loan Pool Subcommittee, the Housing Maintenance and Counseling Subcommittee, and by the Citizens Housing and Community Development Committee. The program would provide a smoke detector in every residence in Target Area No. 3 for the next year. Minutes with agenda. Resolution approving expenditure needed. Funds are budgeted.)

ACTION: Res. 80-966 adopted approving expenditure. (Planning/Finance to handle)

CONSENT

21. Consider amending the City-wide Senior Citizens Emergency Home Repair Program to increase the maximum loans from \$1,500 to \$2,500 and delegating to staff the authority to process loans, reporting back to the Rehabilitation Loan Pool Subcommittee on each action taken.
(This request has been approved and recommended for approval by the Rehabilitation Loan Pool Subcommittee and by the Citizens Housing and Community Development Committee. This is an emergency project, and to take each case before the RLPS for approval prior to authorizing repairs would create delays. The Housing Program Office would file reports with the RLPS at their next meeting after the abatement process. Minutes with agenda. Resolution amending resolution approving emergency home repair program needed.)

ACTION: Res. 80-967 adopted amending resolution approving emergency home repair program.
(Planning/Finance to handle)

CONSENT

22. Consider amendment to Position Classification Plan for Fire and Police classes.
(Memorandum with agenda. Resolution amending position plan needed.)

ACTION: Res. 80-968 adopted amending position plan. (Mgmt. Serv. to handle)

CONSENT

23. Consider authorizing the City Manager to sign installment purchase and maintenance contracts with the Xerox Corporation for the purpose of purchasing one high-volume copy machine.
(Memorandum with agenda. Resolution authorizing the City Manager to sign installment purchase and maintenance contracts needed. Estimated cost 1980-81: \$6,227 installment purchase; \$11,000 maintenance; funds are budgeted.)

ACTION: Res. 80-969 adopted authorizing the City Manager to sign installment purchase & maintenance contracts.
(Finance to handle)

CONSENT

24. Consider authorizing the City Manager to sign a lease agreement with TAB Products Company for the purpose of leasing police data entry equipment.
(Memorandum with agenda. Resolution authorizing City Manager to sign lease agreement needed. Estimated cost 1980-81: \$5,949; funds are budgeted.)

ACTION: Res. 80-970 adopted authorizing City Manager to sign lease agreement.
(Finance to handle)

CONSENT

25. Recommend to the Council an amendment to Section 27-3-9 of the Zoning Map and to P-D(168) - Rosegate Investment.
(On September 2, 1980, the Planning Commission adopted Resolution 80-216 recommending to the Council an amendment to Section 27-3-9 of the Zoning Map and to P-D(168) to add additional property and units, property located at the northwest corner of Scenic and Rose. Resolution setting public hearing October 7, 1980 at 4:00 p.m. needed.)

ACTION: Res. 80-971 adopted setting hearing, (Clerk to handle)

CONSENT

26. Recommend to Council an amendment to P-D(235) - Allen Grant.
(On September 2, 1980, the Planning Commission adopted Resolution 80-214 recommending to the Council an amendment to P-D(235) to allow a steel rather than masonry wall, located between 9th Street and the Freeway north of Clayton Avenue. Resolution setting public hearing October 14, 1980 at 7:30 p.m. needed.)

ACTION: Res. 80-972 adopted setting public hearing. (Clerk to handle)

CONSENT

27. Recommend to Council an amendment to Section 24-3-9 of the Zoning Map - Horn Construction.
(On September 2, 1980, the Planning Commission adopted Resolution 80-212 recommending to the Council an amendment to Section 24-3-9 of the Zoning Map to rezone from R-2 to P-D(274) to allow a residential condominium development, property located on the east side of Lakewood between E. Orangeburg and Laramie. Resolution setting public hearing October 7, 1980 at 4:00 p.m. needed.)

ACTION: Res. 80-973 adopted setting public hearing. (Clerk to handle)

CONSENT

28. Recommend to Council an amendment to Section 19-3-9 of the Zoning Map - Rule Enterprises.
(On September 2, 1980, the Planning Commission adopted Resolution 80-217 recommending to the City Council an amendment to Section 19-3-9 of the Zoning Map to rezone from R-2 to P-D(276) to allow conversion of existing duplexes to condominiums, property located on the south side of Evergreen west of Carver. Resolution setting public hearing October 14, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-974 adopted setting public hearing. (Clerk to handle)

REPORTS

CONSENT

29. Presentation of Financial Statement for August, 1980.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

DROPPED FROM AGENDA

MISCELLANEOUS

30. Legislation
None
31. Appointments
None

32. Matters too late for the agenda

- a. Clean Water Grant for Step II Engineering on Waste Treatment Facilities

ACTION: Res. 80-975 adopted (Elliott/Muratore, unan., Bright, Kullijian absent) accepting grant offer,

Res. 80-976 adopted (same vote) approving 7th Amendment to Agreement with Kennedy/Jenks Engineers to provide the design services necessary.

(P.W. to handle)

- b. Consider ordinance to approve an amendment to the contract between the Board of Administration Public Employees' Retirement System and the City Council.

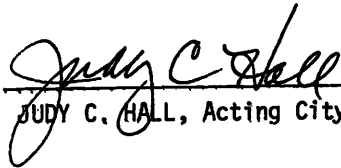
ACTION: By motion (Lang/Elliott, unan., Bright, Kullijian absent) Ord. No. 1982-C.S. introduced authorizing amendment, (Mgmt, Serv, to handle)

- c. Hold harmless agreement with Vintage Faire Merchants Association

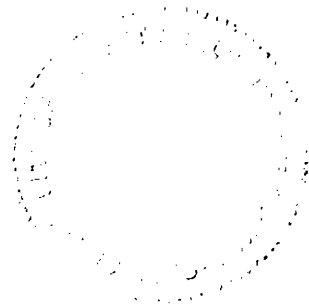
ACTION: Res. 80-977 adopted (Lang/Muratore, unan., Bright, Kullijian absent) approving hold harmless agreement with Vintage Faire Merchants Association for participation in McHenry Museum and McHenry Mansion "Community Days" Event. (P.R. to handle)

Adjourned at 6:35 p.m.

ATTEST:



JUDY C. HALL, Acting City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 23, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Elliott, Lang, Muratore,
Siefkin, Mayor Mensinger

Absent: Councilmembers Bright, Kullijian

Pledge of allegiance to the Flag

Invocation: Rev. Martha Schwartz, Modesto Faith Temple

A moment of silent prayer was observed in memory of Richard Hosegood.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 17b,d,e, 19,

Remove 17 a & c from consent 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30,
31, 32, 33, 34, 35

ACTION: (Muratore/Lang, unan., Bright, Kullijian absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the Council meeting of September 16, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

2. Appeal by Robert B. Holbrook on behalf of Carmen Garcia to a decision of the Board of Zoning Adjustment regarding a conditional use permit on property located at 115 Jones Street.
(Resolution setting hearing October 28, 1980, at 7:30 p.m., needed.)

ACTION: Res. 80-978 adopted setting hearing. (Clerk to handle)

CONSENT

3. Appeal by Douglas L. Smith to a decision of the Planning Commission regarding an application for a freestanding sign identifying "Modesto Automotive Center".
(Resolution setting hearing October 14, 1980, at 7:30 p.m., needed.)

ACTION: Res. 80-979 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications for the repiping of the Carver - Scott lift station.
(Suggested bid opening: October 14, 1980 at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$31,735, (Contract \$28,850; Eng. \$2,885), A transfer will be made after bids are received and the exact amount needed to construct the project can be determined. Funds are budgeted and available in Reserve.)

ACTION: Res. 80-980 adopted calling for bids. (Clerk to handle)

CONSENT

5. Consider approval of plans and specifications for the repiping of the Rose-Celeste lift station.
(Suggested bid opening: October 14, 1980 at 11:05 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$171,452.40 (Contract \$157,164.70; Eng. \$14,287.70). Transfer will be made after bids are received and the exact amount needed to construct the project can be determined. Funds are budgeted and available in Reserve.)

ACTION: Res. 80-981 adopted calling for bids, (Clerk to handle)

CONSENT

6. Consider declaring Duke Equipment and Irrigation, Inc. low bidder meeting City specifications and authorize the purchase of one 72" rotary mower with trailer from the firm for the total price of \$10,265.35.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-982 adopted authorizing purchase. (Finance to handle)

CONSENT

7. Consider acceptance of CDR Construction's contract for the reconstruction of Pump Station No. 41 as complete. (Original cost: \$107,977)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$108,229. Funds are budgeted.)

ACTION: Res. 80-983 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider rejecting all bids and authorize new call for bids to be opened October 28, 1980, for furnishing one sewerage lift station pump. (Memo with agenda. Resolution authorizing call for bids needed. Estimated Cost: \$7,500. Funds are budgeted.)

ACTION: Res. 80-984 adopted rejecting bids and calling for new bids. (Clerk to handle)

CONSENT

9. Consider waiving formal bid procedures and authorize the City Manager to sign a purchase agreement with the Burroughs Corporation to purchase six terminals, one tape drive, and one line adapter for the total price of \$40,304.80. (Memorandum with agenda. Resolution authorizing City Manager to sign purchase agreement with the Burroughs Corporation. Funds are budgeted.)

ACTION: Res. 80-985 adopted authorizing City Manager to sign purchase agreement. (Finance to handle)

HEARINGS

- 10a. Hearing on orders to repair commercial alleys - Project No. 2 No. 1
at the following locations:

Block 42, Bounded by 7th Street/8th Street - J Street/I Street

Block 43, Bounded by 7th Street/8th Street - H Street/I Street

Block 67, Bounded by 10th Street/11th Street - J Street/K Street

Block 70, Bounded by 11th Street/10th Street- H Street/G Street

Block 87, Bounded by 11th Street 12th Street - L Street/M Street

Block 111, Bounded by 14th Street/15th Street - J Street/K Street

ACTION: Res. 80-986 adopted (Elliott/Lang, unan., Bright, Kullijian absent) ordering repair. (P/W to handle)

- 10b. Consider award of the contract for commercial alley improvements, Phase 2. (Bids were opened September 10, 1980, and the low bid of \$92,297.20, submitted by American Asphalt Specialist, is 9% below the engineer's estimate and is considered acceptable. It is, therefore, recommended by the Public Works Department to award the contract to American Asphalt Specialist. Resolution awarding contract needed. Estimated cost: \$102,447.20 (Contract \$92,297.20; Eng. \$10,150); funds are budgeted.)

ACTION: By motion (Lang/Siefkin, unan., Bright, Kullijian absent) this item was continued to October 7, 1980. (P/W to handle)

11. Hearing on orders to repair residential alleys - Project No. 8, No. 2
at the following locations:

Block 6627, Mount Vernon/Joni - Fay/Cherl

Block 801-A, Princeton/Yale - Columbia/Mills

Block 6834-36, McHenry/Kirkwood - Northgate/Leveland

ACTION: Res. 80-987 adopted (Lang/Siefkin, unan., Bright, Kullijian absent) ordering repair. (P/W to handle)

12. Hearing on appeal by J. E. Bright to a decision of the No. 3
Planning Commission concerning rezoning of property
located at 1702 Sunrise Avenue.

ACTION: By motion (Muratore/Siefkin, unan., Bright, Kullijian absent) receipt of withdrawal of appeal acknowledged.

13. Hearing on appeal by Great Valley Properties to a No. 4
decision of the Planning Commission concerning re-
zoning of property on the southeast corner of
Santa Barbara and La Loma.

ACTION: Res. 80-988 adopted (Lang/Siefkin, unan., Bright, Kullijian absent) denying appeal.

14. Hearing on amendment to P-D(133) to permit individual No. 5
spas available to the public, property located at the
northwest corner of Tully Road and Standiford Avenue
(Vintage Hot Tub).

ACTION: By motion (Lang/Siefkin, majority, Elliott-no, Bright, Kullijian absent)
Ord. No. 1983-C.S. introduced amending P-D(133)

Res. 80-989 adopted (same vote) approving amendment with restrictions.

Res. 80-990 adopted (same vote) certifying review of environmental assessment
report. (Planning/Clerk to handle)

15. Hearing to consider amendment of Ordinance No. 1766-C.S., No. 6
Modesto Cable TV franchise, regarding minor extensions of
time for the installation of educational circuits.

ACTION: By motion (Siefkin/Muratore, unan., Bright, Kullijian absent) Ord. No. 1984-C.S.
introduced amending Cable TV franchise. (Finance to handle)

16. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

17. Final adoption of the following:

- a. Ord. No. 1978-C.S. amending P-D(3) to allow condominium conversion, property located at southwest corner of Kavanagh and MacDougal (Marshall Perry).
Councilmember Lang excused due to conflict of interest.

ACTION: By motion (Muratore/Elliott, unan., Bright, Kullijian, Lang absent) Ord. 1978-C.S. adopted.

CONSENT

- b. Ord. No. 1979-C.S. rezoning from C-1 to P-0, property located at Third and I Streets (Kieu Cong Tran).

ACTION: By motion, Ord. No. 1979-C.S. adopted.

- c. Ord. No. 1980-C.S. rezoning and preozoning from R-1 to P-D(270), property located at Standiford Avenue east of Conant (Stanislaus County Housing Authority).

ACTION: Res. 80-991 adopted (Elliott/Lang, unan., Bright, Kullijian absent) approving revision of Condition No. 12 of resolution approving development plan,

By motion, approved final adoption of Ord. No. 1980-C.S. (Elliott/Lang, unan., Bright, Kullijian absent).

By motion (Siefkin/Muratore, unan., Bright, Kullijian absent) matter of policy regarding TV antenna or Cable TV service in developments referred to staff.

CONSENT

- d. Ord. No. 1981-C.S. rezoning from R-1 to P-D(272) property located on the west side of Brighton, south of Irons Court (James Corn Enterprises).

ACTION: By motion, approved final adoption of Ord. No. 1981-C.S.

CONSENT

- e. Ord. No. 1982-C.S. authorizing amendment to contract with PERS.

ACTION: By motion, approved final adoption of Ord. No. 1982-C.S.

UNFINISHED BUSINESS

18. Further consideration of City issuance of mortgage revenue bonds prior to January 1, 1981,
(Information packet with agenda. Continued from Council meeting of September 16, 1980.)

ACTION: By motion (Siefkin/Elliott, majority, Lang-no, Bright, Kullijian absent) staff directed to proceed with understanding there will be opportunity to withdraw if deemed desirable by Council.

NEW BUSINESS

CONSENT

19. Consider authorizing the purchase of services to appraise three parcels of land needed for the expansion of the Police facilities. Two appraisal firms are being retained because of the value of the properties and complexity of valuing them.

(The firm of Robert L. Crisp, MAI, has agreed to do the appraisals for \$4,650. The firm of Robert Ford & Associates, Inc., has agreed to do the appraisals for \$4,000. Two resolutions authorizing purchase of services needed. Estimated cost: \$8,650; funds are budgeted.)

ACTION: Res. 80-991-A adopted authorizing purchase of services of Robert L. Crisp, MAI.
Res. 80-992 adopted authorizing purchase of services of Robert Ford & Associates, Inc. (P.W. to handle)

CONSENT

20. Consider approval of application for a Federal grant to construct an alternative fuels plant - methane.

(The feasibility studies which were authorized by the Council in the 1973-74 CIP budget have been completed. The results of the pilot project indicate that use of methane to fuel vehicles is feasible. This grant will fund the construction of a full-size recovery plant in the amount of \$750,000. Resolution authorizing City Manager to execute grant proposal needed. Funds are budgeted.)

ACTION: Res. 80-993 adopted authorizing execution of grant proposal. (P.W. to handle)

CONSENT

21. Consider authorizing purchase of a service to appraise three properties being considered for purchase for Tuolumne River Regional Park.

(The appraisal firm of Robert Ford and Associates, Inc. has agreed to appraise the three parcels for a fee not to exceed \$5,000. The fee may be less but the quote was based on the type of property being appraised and the potential of use being cleared up, specifically, the flood plain of the Tuolumne River. Resolution authorizing purchase of service needed. Funds are budgeted.)

ACTION: Res. 80-994 adopted authorizing purchase of service. (P.R. to handle)

CONSENT

22. Consider abandonment of a portion of a storm drain easement in Block 7170, City of Modesto.

(Memo with agenda. Resolution vacating and abandoning a portion of the storm drain easement in Block 7170 needed.)

ACTION: Res. 80-995 adopted abandoning portion of storm drain easement. (P.W. to handle)

CONSENT

23. Consider abandonment of a portion of a 40-foot public utility easement in Block 13403 of the City of Modesto.
(Memo with agenda. Resolution vacating and abandoning a portion of the 40-foot public utility easement in Block 13403 needed.)

ACTION: Res. 80-996 adopted abandoning portion of public utility easement. (P.W. to handle)

CONSENT

24. Proposal from M. E. Grover to harvest olives from City-owned trees located on Mellis Park, Franklin Avenue.
(M. E. Grover will pay the City, no later than December 15, 1980, \$2.00 per 50 pound box of olives, for right to harvest the trees. Resolution approving letter agreement needed.)

ACTION: Res. 80-997 adopted approving letter agreement. (P.R. to handle)

CONSENT

25. Recommend to Council the vacation and abandonment of the 6-foot walkway in Blocks 13106 and 13105 between Lexington Drive and Annapolis Avenue west of Coventry.
(On August 18, 1980, the Planning Commission adopted Resolution 80-202 recommending to the City Council the vacation and abandonment of the 6-foot walkway in Blocks 13106 and 13105 between Lexington Drive and Annapolis Avenue west of Coventry. Resolution setting public hearing October 28, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-998 adopted setting hearing. (Clerk/Planning to handle)

CONSENT

26. Set hearing for Scenic-Coffee Annexation to the City of Modesto.
(On August 20, 1980, LAFCO approved this uninhabited annexation which was initiated by a petition of property owners. LAFCO also required that the property on the northeast corner of Coffee Road and Scenic Drive be included in this annexation. Resolution initiating annexation proceedings and setting public hearing November 4, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-999 adopted setting hearing. (Clerk/Planning to handle)

CONSENT

23. Recommend to Council an amendment to Section 10-3-9 of the Zoning Map - Rule Enterprises.
(On September 2, 1980, the Planning Commission adopted Resolutions No. 80-219 and 80-220 recommending to the Council an amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D(277) and P-D(278), property located along the south side of Princewood Lane and Sylvan Avenue and the east side of Kingswood to allow conversion to condominiums of existing units. Resolution setting public hearing October 28, 1980 at 7:30 p.m. needed.)

ACTION: Res. 80-1000 adopted setting hearing. (Clerk to handle)

CONSENT

28. Recommend to Council an amendment to Section 15-3-9 of the Zoning Map -
Contek Associates.

(On September 15, 1980, the Planning Commission adopted Res. 80-239 recommending to the City Council an amendment to Section 15-3-9 of the Zoning Map to rezone from P-0 to P-D(282) to allow conversion of Park Greenbriar Apartments to condominiums, property located east of Coffee Road south of Ensenada Drive. Resolution setting public hearing November 4, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-1001 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend to Council an amendment to Section 15-3-9 of the Zoning Map -
Contek Associates.

(On September 15, 1980, the Planning Commission adopted Res. 80-235 recommending to the Council an amendment to Section 15-3-9 of the Zoning Map to rezone from P-0 and R-3 to P-D(280) to allow conversion of Villa Verde North apartments, property located east of Coffee Road, north of Celeste. Resolution setting public hearing November 4, 1980 at 4:00 p.m. needed.)

ACTION: Res. 80-1002 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend to Council an amendment to Section 15-3-9 of the Zoning Map -
Contek Associates.

(On September 15, 1980, the Planning Commission adopted Res. 80-237 recommending to the Council an amendment to Section 15-3-9 of the Zoning Map to rezone from R-3 to P-D(281) to allow conversion of Villa Verde Celeste apartments to condominiums, property located east of Coffee Road, north of Celeste. Resolution setting public hearing November 4, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-1003 adopted setting hearing. (Clerk to handle)

CONSENT

31. Recommend to Council an amendment to Section 24-3-9 of the Zoning Map -
Dorothy Chappell.

(On September 15, 1980, the Planning Commission adopted Resolution No. 80-241 recommending to the City Council an amendment to Section 24-3-9 of the Zoning Map to rezone from R-1 to P-D(279) to allow one and two-story condominium development, property located on the north side of E. Orangeburg, west of Claus. Resolution setting public hearing November 4, 1980 at 4:00 p.m. needed.)

ACTION: Res. 80-1004 adopted setting hearing. (Clerk to handle)

REPORTS

CONSENT

32. Presentation of Financial Statement for August, 1980.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

33. Consider request by Del Este Water Company for rate increase.
(The Del Este Water Company has filed Advice Letter No. 73 with the California Public Utilities Commission for changes in its tariff schedules applicable to portions of Modesto and Turlock, and Empire, Salida, Waterford, Hickman, Grayson and Hillcrest and vicinity, Stanislaus County. As in the past, a review of the request will be handled by the PUC. There is no action required on the part of the City. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

34. Report on Summer 1980 Water Conservation Program.
(The City of Modesto Summer Water Conservation Program, designed to conserve water and energy during peak demand periods came to a close on September 15, 1980. Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

35. Notice of PGandE application for gas and electric rate increases.
(Memo with agenda. Gas rates would go up 4.3% for residential users. The request is to increase overall gas revenues by 1.9% -r \$66.9 million/year. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

36. Legislation

None

37. Appointments

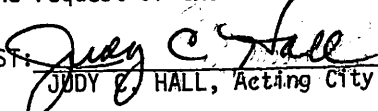
None

38. Matters too late for the agenda

Councilmember Elliott mentioned there is a deadline if the Council has any resolutions they wish to submit to National League of Cities Conference.

Adjourned at 9:20 p.m. to executive session at the request of the Police Chief.

ATTEST:


JUDY E. HALL, Acting City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 7, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger

Absent: Councilmember Muratore

Councilmember Muratore arrived at 4:08 p.m.

Pledge of allegiance to the Flag

Invocation: Rev. Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
REMOVED FROM CONSENT: 24 13, 14, 15, 15a, 22, 28, 29, 30, 32,
DROPPED FROM AGENDA: 42 33, 34, 35, 36, 37, 38, 39, 40, 41, 43

ACTION: (Lang/Siefkin, unan., Muratore absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the Council meeting of September 23, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Oral communication by National Guard representative.
Representative not present. No action taken.

CONSENT

3. Letter from the Modesto Jaycees requesting permission for a permit to sell hot dogs and soft drinks on I Street, Graceada Park, and at Downey Stadium on October 11, 1980 during their 6th Annual Marching Band Festival.
(Motion approving request needed.)

ACTION: By motion, request approved.

CONSENT

4. Request by Jess Marchant of Turlock Carton Press for a license to collect salvageable waste.
(Resolution declaring intent to hear application and setting hearing October 23, 1980 at 4:00 p.m. needed.)

ACTION: Res. 80-1005 adopted setting hearing. (Clerk/Mgmt. Serv. to handle)

BIDS

CONSENT

5. Consider approving specifications and authorize call for bids to be opened October 28, 1980 at 2:15 p.m. for furnishing one closed-circuit television truck. (Requested by the Public Works Sewerage Division, the vehicle will be used primarily to inspect newly constructed sewer lines for breaks. The truck will replace similar equipment presently in service. Resolution authorizing call for bids needed. Estimated Cost: \$48,000. Funds are budgeted.)

ACTION: Res. 80-1006 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider declaring Bonander Pontiac, Inc. low bidder and authorize the purchase of one (1) bus diesel engine from the firm for the total price of \$9,136.19. (Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-1007 adopted authorizing purchase. (Finance to handle)

CONSENT

7. Consider award of the contract for commercial alley improvements Phase 2. (Bids were opened September 10, 1980 and the low bid of \$92,297.20, submitted by American Asphalt Specialist, is 9% below the engineer's estimate and is considered acceptable. It is therefore recommended by the Public Works Department to award the contract to American Asphalt Specialist. Resolution awarding the contract to American Asphalt Specialist needed. Estimated Cost: \$102,447.20 (Constr. \$92,297.20; Eng. \$10,150), Funds are budgeted. This item continued from the meeting of September 23, 1980.)

ACTION: Res. 80-1008 adopted awarding contract. (P/W to handle)

CONSENT

8. Consider acceptance of bid and award of contract for McHenry Museum H.V.A.C. and lighting. (This project will provide new heating, air conditioning, lighting and electrical facilities at the Museum. Bids were opened September 30, 1980, and the low bid of \$156,148 submitted by Hansens' Inc. is 9.63% below the engineer's estimate and is considered acceptable. It is recommended by the Public Works Department to award the contract to them. Resolution awarding contract to Hansens' Inc. needed. Estimated Cost: \$174,148 (Contract \$156,148; Eng. & Contg. \$18,000. Funds are budgeted.)

ACTION: Res. 80-1009 adopted awarding contract. (P/W to handle)

CONSENT

9. Consider acceptance of Conco-West, Inc's contract for construction of storm flow bypass and reconstruction of existing manholes on outfall sewer lines as complete. (Original contract: \$57,780). (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$39,223.37. Funds are budgeted.)

ACTION: Res. 80-1010 adopted accepting work as complete. (P/W to handle)

CONSENT

10. Consider rejecting all bids and authorize a new call for bids to be opened October 28, 1980 at 2:20 p.m. for furnishing one police van. (Memorandum with agenda. Resolution rejecting bids and authorizing new call for bids needed. Estimated cost: \$8,000. Funds are budgeted.)

ACTION: Res. 80-1011 adopted rejecting bids and authorizing new call for bids. (Finance to handle)

CONSENT

11. Consider waiving formal bid procedures and authorizing purchase of water system control equipment from Hewlett-Packard for the total cost of \$49,546. (Existing water control system has reached the end of its useful life and it is required it be replaced with a more modern unit. Staff has determined that a water control system based on Hewlett-Packard equipment provides for the best long-term reliability, maintenance, and operating cost. Memo with agenda. Resolution waiving formal bids and authorizing purchase of Hewlett-Packard equipment needed. Funds are budgeted.)

ACTION: Res. 80-1012 adopted waiving formal bids and authorizing purchase. (P.W. to handle)

CONSENT

12. Consider authorizing the purchase of one classifier trough bar and rakes from the Dorr-Oliver Company for the total purchase price of \$3,650.48. (Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-1013 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider award of contract for the subtrunk sewer extension on Blue Gum Avenue between Poust Road and Carpenter Road. (Bids were opened on September 23, 1980. The low bid of \$153,231.50, submitted by Western Pipeline Co., Inc. is 35% below the Engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Western Pipeline Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 80-1014 adopted awarding contract. (P.W. to handle)

CONSENT

14. Consider award of contract for the construction of Pump Station No. 44. (Bids were opened on September 23, 1980. The low bid of \$115,636, submitted by GHF Contracting Engineers is 5% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Memo attached. Resolution awarding contract to GHF Contracting Engineers needed, and resolution approving appropriation transfer needed. Funds are budgeted.)

ACTION: Res. 80-1015 adopted awarding contract.
Res. 80-1016 adopted approving appropriation transfer. (P.W. to handle)

CONSENT

15. Consider acceptance of Don L. Davis, Inc's contract to repaint various street lighting poles and post tops as complete, (Original contract: \$23,570). (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$24,551. Funds are budgeted.)

ACTION: Res. 80-1017 adopted accepting work as complete. (P.W. to handle)

CONSENT

- 15a. Consider authorizing issuance of purchase order to Modesto Irrigation District for the clearing of M.I.D. Electrical Facilities as necessary for the construction of the West Sewer Trunk.
(This work is needed in order to complete the West Trunk Sewer, which is in progress at this time. Resolution authorizing issuance of a purchase order to M.I.D. needed. Estimated Cost: \$7,770. Funds are budgeted.)

ACTION; Res. 80-1018 adopted authorizing issuance of a purchase order. (P.W. to handle)

HEARINGS

16. Hearing to consider the vacation and abandonment of the 6-foot walkway in Blocks 13122 and 13125 located north of Eldon Way. No. 1

ACTION: Res. 80-1019 adopted (Elliott/Bright, unan., Muratore absent) vacating and abandoning 6' walkway. (Planning/Clerk to handle)

17. Hearing to consider the vacation and abandonment of a portion of the 20-foot public alley in Block 333, east of Rosedale, south of Sierra. No. 2

Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Muratore/Siefkin, majority, Bright, Kullijian-no, Lang absent) intent to abandon indicated with the hydrant to be installed at 50% cost to church, 50% to City.

18. Hearing to consider amendment to Section 24-3-9 of the Zoning Map to rezone from R-2 to P-D(274) to allow a residential condominium development, property located on the east side of Lakewood between E. Orangeburg and Laramie. (Horn Construction) No. 3

ACTION: By motion (Muratore/Siefkin, unan.) Ord. No. 1985-C.S. introduced approving amendment to Section map.

Res. 80-1020 adopted (same vote) approving development plan.

Res. 80-1021 adopted (same vote) certifying review of environmental assessment report. (Planning/Clerk to handle)

19. Hearing to consider an amendment to Section 27-3-9 of the Zoning Map and to P-D(168) to add additional property units, property located at the northwest corner of Scenic and Rose. (Rosegate Investment) No. 4

ACTION: By motion (Lang/Elliott, unan.) Ord. No. 1986-C.S. introduced amending P-D(168) Res. 80-1022 adopted (same vote) amending development plan and certifying review of environmental assessment report. (Planning/Clerk to handle)

20. Matters for the good of the community.
(These may be presented by interested persons in the audience.)
Councilmember Lang excused due to a conflict of interest.

Terry McGrath, Modesto High School Band and Orchestra Booster Club, protested revocation of license to have fund raising sale of frozen fish in parking lot of Montgomery Ward on McHenry Avenue.

ACTION: Council indicated its opinion that staff should work with Mr. McGrath and Montgomery Wards on issuance of license for fund raising sale on Montgomery Ward property, in this instance. (Mgmt. Services/Finance to handle)

ORDINANCES

21. Final adoption of Ord. No. 1983-C.S. amending P-D(133) to permit individual spas available to the public, property located at northwest corner of Tully and Standiford. (Vintage Hot Tub)
(Motion approving needed.)

Councilmembers Bright and Kullijian excused due to conflict of interest.

ACTION: By motion (Lang/Muratore, majority, Elliott-no, Bright, Kullijian absent) final adoption approved.

CONSENT

22. Final adoption of Ord. No. 1984-C.S. amending Cable TV franchise.
(Motion approving needed.)

ACTION: By motion, final adoption approved.

UNFINISHED BUSINESS

23. Consider request by John Tatoyan for removal of City tree on Burchell Court.
(This item was continued from the Council meeting of September 16, 1980.)

ACTION: Motion to allow removal of tree by City at cost to Mr. Tatoyan defeated.

By motion (Siefkin/Muratore, majority, Bright, Kullijian, Lang-no) request denied.

24. Policy for the location of financial institutions outside of commercial zones.
(Memo with agenda. Permits financial institutions via P-D zoning, adjacent to neighborhood, community, and regional shopping centers. Resolution approving policy needed.)

ACTION: Res. 80-1023 adopted (Lang/Bright, unan.) approving policy as recommended by staff.

25. Further consideration of interim bus terminal construction.
(Memo with agenda. Only one bid was received. It was for \$156,900 but did not include seats in the waiting room. The architectural/engineering firm will be present to discuss the matter and make suggestions. Motion directing staff needed. Funds are partially budgeted.)

ACTION: Res. 80-1024 adopted (Muratore/Siefkin, unan.) rejecting bid.

Staff to proceed with looking at other options and expenses.

Mayor Mensinger excused and meeting turned over to Vice Mayor Siefkin.

26. Consider use of on-street parking meter posts for bike parking.
(Memo with agenda. Sufficient facilities for attaching bikes are available so it is recommended that the meter posts be removed except for a very few. (Motion accepting recommendation or directing otherwise needed. Estimated cost: \$3,200; funds are budgeted.)

ACTION: By motion (Elliott/Kullijian, unan., Mayor Mensinger absent) accepting recommendations. (P.T. to handle)

27. Further consideration of City issuance of Mortgage Revenue Bonds prior to January 1, 1981.
(Memo from staff with agenda reporting results of meetings with various financial consultants and underwriters regarding mortgage revenue bonds. Motion accepting staff report and if wishing to proceed, directing staff to contract with a financial consultant or underwriter and/or authorizing a feasibility study at a cost of approximately \$20,000. Resolution appropriating \$20,000 required. Funds are budgeted.)

ACTION: Res. 80-1025 adopted (Muratore/Bright, majority, Kullijian, Lang-no, Mayor Mensinger absent) accepting staff recommendation B. (Finance to handle)

NEW BUSINESS

CONSENT

28. Consider approving application for funds under the Roberti-Z'berg Urban Open Space and Recreation Program for East La Loma Neighborhood Park play equipment.
(Block grants to local governmental agencies are available under this act. The City of Modesto is eligible for \$24,822 under the block grant for 1980-81 fiscal year. Staff recommends that Council pass a resolution authorizing this application for these funds. These funds will be used to purchase play equipment for East La Loma Neighborhood Park. Resolution authorizing application for grant funds needed.)

ACTION: Res. 80-1026 adopted authorizing application for grant funds. (P.R. to handle)

CONSENT

29. Consider approving lease agreement and security agreement with Yosemite Airlines for an air transportation concession at the City-County Airport.
(Yosemite Airlines has agreed to lease 325 square feet of apron area and 221 square feet of terminal area at the City-County Airport for a total annual rental of \$2,515.50. Yosemite Airlines has signed a security agreement for the required security. Memo with agenda. Resolution approving security agreement and resolution approving lease agreement needed.)

ACTION: Res. 80-1027 adopted approving security agreement with Yosemite Airlines.
Res. 80-1028 adopted approving lease agreement with Yosemite Airlines.
(P.W. to handle)

CONSENT

30. Consider approving a lease agreement with Reeves Enterprises, Inc. for a month-to-month lease of the Old Corporation Yard.
(Agreement is month-to-month and is for a rental of \$770 per month. Memo with agenda. Resolution authorizing City Manager to execute lease agreement needed.)

ACTION: Res. 80-1029 adopted authorizing City Manager to execute lease agreement.
(P.W. to handle)

31. Designation of voting and alternate voting delegates at the National League of Cities' 1980 Congress of Cities & Exposition, November 29 through December 3, 1980.
(Letter from National League with agenda.)

ACTION: By motion (Elliott/Bright, unan., Mayor Mensinger absent) Muratore designated voting delegate, Bright, alternate.

CONSENT

32. Consider acceptance of improvements in Pine Tree Village subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer - James Horn Construction)
(Pine Tree Village is a subdivision located south of Paradise Road and east of Carpenter Road. All improvements have been completed to the satisfaction of the Public Works Department, and the fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-1030 adopted accepting improvements as complete. (P.W. to handle)

CONSENT

33. Consider approving airport security agreement with Gem Investors, Inc. dba Golden Gate Airlines.
(Agreement provides for City providing uniformed officers at the specific times at the airport with Golden Gate Airlines assuming a share of the cost. Resolution approving security agreement needed.)

ACTION: Res. 80-1031 adopted approving security agreement. (P.W. to handle)

CONSENT

34. Consider amending agreement with Guarantee Savings and Loan Association for the purchase of Woodland Neighborhood Park site.
(The Council by Res. No. 79-707, approved the acquisition of this site from Guarantee on July 10, 1979. Part of the agreement was for Guarantee to improve the site with off-site improvements by October 11, 1980. Most of the work has been done, but Guarantee has requested a 6-month extension to finish the work. Street paving may be delayed because of weather. Extension recommended. Resolution approving amendment to agreement needed.)

ACTION: Res. 80-1032 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

35. Consider request for water service to property outside City limits at 714 South Avenue, located on the south side of South Avenue, between Roselawn Avenue and Sunset Avenue. Owner: George Leo McWilliams
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to the City, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-1033 adopted approving agreement. (P.W. to handle)

CONSENT

36. Consider declaring property listed on the City surplus and Police stolen or unclaimed property listings as surplus to City needs and authorize the property to be sold at a public auction to be held October 11, 1980, at the City's Corporation Yard.
(An annual event, the auction is held to dispose of surplus City property and Police stolen or unclaimed property held over six months. Resolution declaring property surplus and authorizing a public auction needed.)

ACTION: Res. 80-1034 adopted declaring property surplus and authorizing auction.
(Finance to handle)

CONSENT

37. A Citizens Housing and Community Development Committee recommendation to approve agreement with Stanislaus County Housing Authority for provision of counseling services pursuant to our CDBG program.
(Renewal of existing contract in which participants in the Housing Maintenance Program receive counseling in various subjects to sustain the efforts of the program. This would be as a follow-up to their participation in the program. Resolution approving agreement with Stanislaus County Housing Authority and authorizing the City Manager to execute the agreement needed. Estimated cost: \$47,000; funds are budgeted.)

ACTION: Res. 80-1035 adopted approving agreement. (HPO to handle)

CONSENT

38. Consider adoption of resolution approving LAFCO Questionnaire pertaining to the Hatch Road No. 1 Governmental Reorganization.
(The Hatch Road No. 1 Governmental Reorganization consists of 117.477 acres located north and south of Hatch Road, west of Crows Landing Road. Memo, maps and questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 80-1036 adopted approving LAFCO Questionnaire, (Planning to handle)

CONSENT

39. Consider adoption of resolution approving LAFCO Questionnaire pertaining to the Whitmore No. 2 Annexation.
(The Whitmore No. 2 Annexation consists of 13.9 acres located on the north side of Whitmore Avenue, west of Crows Landing Road. Memo, maps and questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 80-1037 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

Water

40. Consider State Clean/Design Grant offer for wastewater treatment facilities in the amount of \$131,850.
(The State Grant offer represents 12-1/2% of the engineering cost. The balance of the cost will be funded from an EPA Grant covering 75% of the engineering cost and local funds. There is currently budgeted in the Sewer Fund \$1,069,095 covering the engineering work. It is recommended that the City Council accept the Grant offer from the State for a Step 2 Grant in the amount of \$131,850 and authorize the City Manager to sign the Grant on behalf of the City. Resolution accepting the grant offer and authorizing the City Manager to sign the grant on behalf of the City. Funds are budgeted.)

ACTION: Res. 80-1038 adopted accepting the grant offer. (P.W. to handle)

CONSENT

41. Consider late claim of L. Movell Day.
(Memo with agenda. Resolution accepting late claim filing needed. Estimated cost: \$132.39; funds are budgeted.)

ACTION: Res. 80-1039 adopted accepting filing of late claim. (Risk Manager to handle)

42. Consider application of the McHenry Men's and Women's Club to operate a card room in the City of Modesto.
(Memorandum and other documents with agenda.)

ACTION: By motion (Elliott/Kullijian, unan., Mayor Mensinger absent) acknowledged receipt of request to withdraw application.

REPORTS

CONSENT

43. Quarterly financial report from Ecology Action.
(A quarterly report is required from Ecology Action and provides highlights of their operation for the months of April, May and June. Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, acknowledged receipt of report.

MISCELLANEOUS

44. Legislation

None

45. Appointments

None

46. Matters too late for the agenda.

a. Regency Park final map

ACTION: Res. 80-1040 adopted (Lang/Elliott, unan., Mayor Mensinger absent) approving final map.

Res. 80-1041 adopted (same vote) approving agreement between Regency Park Investment Group for maintenance of storm drainage storage basin in Regency Park Subdivision.

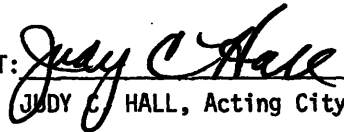
Res. 80-1042 adopted (same vote) approving agreement with Modesto Irrigation District for a storm drainage license.

b. Reconsideration of abandonment of portion of alley in Block 333.

ACTION: Councilmember Elliott moved, Councilmember Kullitjan seconded to reconsider this matter at the Council meeting of October 14, 1980.

The meeting adjourned at 6:40 p.m.

ATTEST:



JUDY C. HALL, Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 14, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Dennis Conrad, Bethel Temple

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 6, 7, 8, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30

Item 5 Dropped from Agenda

- ACTION: (Kullijian/Siefkin, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the Council meeting of October 7, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Stanislaus County Crisis Nursery requesting support of their idea statement for a crisis nursery for children in danger of abuse, molestation or neglect.

ACTION: Res. 80-1043 adopted (Elliott/Lang, unan.) supporting idea statement with wording as suggested,

CONSENT

3. Appeal by residents of Haddon Avenue, M.I.D. Lateral No. 2, Phoenix Avenue area to a decision of the Planning Commission regarding a tentative subdivision.
(Resolution setting hearing Wednesday, November 12, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-1044 adopted setting hearing. (Clerk to handle)

4. Request of the United Nations Association U.S.A. for permission to raise the United Nations flag at City Hall on October 24, 1980 at 4:00 p.m. and for the following week.

ACTION: By motion (Lang/Siefkin, majority, Kullijian-no) permission granted.
(Mgmt. Services to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for improvement of Standiford Avenue: M.I.D. Lateral No. 7 to Prescott Road. (Development in the area has required that Standiford Avenue be realigned. The realignment work is being coordinated with improvements of adjacent property. Suggested bid opening date is October 28, 1980 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$36,720 (Contr. \$31,930; Eng. & Contg. \$4,790). Funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

6. Consider acceptance of The Flintkote Company's contract for improvement of Sunrise Avenue - Fairmont to south of Annabelle as complete. (Original contract - \$5,922.55)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$5,751.77. Funds are budgeted.)

ACTION: Res. 80-1045 adopted accepting work as complete. (Clerk to handle)

CONSENT

7. Consider acceptance of Joe Martin Pipeline, Inc's contract for construction of waterline extension at Prescott and Snyder, (Original contract: \$13,126.50)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final Cost: \$12,691.43. Funds are budgeted.)

ACTION: Res. 80-1046 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider award of contract for the airport terminal access road and transient aircraft parking apron expansion - Block 2300 - FAA ADAP #6-06-0153-08.
(Bids were opened on October 7, 1980. The low bid of \$194,932.10, submitted by George Reed, Inc. is 16% below the Engineer's Estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution accepting bid and awarding contract to George Reed, Inc. needed. Estimated Cost: \$194,932.10. Funds are budgeted.)

ACTION: Res. 80-1047 adopted accepting bid and awarding contract. (P.W. to handle)

HEARINGS

9. Hearing on order to construct curb and/or sidewalk at the locations listed on the following page.

No. 1

- a. Curb and sidewalk at 1135 E. Orangeburg Avenue, a portion of Block 1185. (Ayres and Paker)
- b. Curb and sidewalk at 233 E. Orangeburg Avenue, a portion of Block 1193. (North Modesto Freewill Baptist Church)
- c. Sidewalk along E. Orangeburg Avenue at 405 E. Orangeburg Avenue, a portion of Block 1190. (June D. Jewett)
- d. Sidewalk along E. Orangeburg Avenue at 608 E. Orangeburg Avenue, a portion of Block 1139. (Randy S. Krum)
- e. Curb and sidewalk at 413 E. Orangeburg Avenue, a portion of Block 1190. (Bobby A. Roberts)
- f. Sidewalk at 515 E. Orangeburg Avenue, a portion of Block 1189. (Stewart & Stewart)
- g. Sidewalk at 1216 E. Orangeburg Avenue, a portion of Block 1144. (Louis E. Tartini)
- h. Sidewalk along E. Orangeburg Avenue at 218 E. Orangeburg Avenue, a portion of Block 1135. (Jim D. Webb)
- i. Sidewalk at 1208 E. Orangeburg Avenue, a portion of Block 1144. (Paul M. Zagaris)
- j. Curb and sidewalk at 1220 E. Orangeburg Avenue, a portion of Block 1144. (Paul M. Zagaris)
- k. Curb at 1515 Encina Avenue, a portion of Block 2168. (Victor H. Christensen)
- l. Curb and sidewalk at 1339 Fiori Avenue, a portion of Block 1138. (Hazel I. MacDannald)
- m. Curb at 1305 Fiori Avenue, a portion of Block 1138. (Carl T. Wildermuth)

ACTION: Res. 80-1048 adopted (Kullijian/Muratore, unan.) ordering construction, with items g, i, & j, granted extension of time to June of 1981, and staff to work with property owner of item "k" to see that tree remains. (P.W. to handle)

10. Hearing on amendment to P-D(235) to allow a steel rather than a masonry wall, located between 9th Street and the Freeway north of Clayton Avenue. (Allen Grant) No. 2

ACTION: Res. 80-1049 adopted (Muratore/Bright, unan.) amending P-D(235) allowing steel wall. (Clerk/Planning to handle)

11. Appeal by Douglas L. Smith, representing Modesto Automotive Center, to a Planning Commission decision regarding an application for a freestanding identification sign. (Letter from Mr. Smith requesting the withdrawal of the appeal with agenda.) No. 3

No action taken

12. Hearing on amendment to Section 19-3-9 of the Zoning Map to rezone from R-3 to P-D(276) to allow conversion of existing duplexes to condominiums, property located on the south side of Evergreen west of Carver.
(Rule Enterprises)

No. 4

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 1987-C.S. introduced amending P-D(276) Res. 80-1050 adopted (same vote) approving development plan, (Clerk/Planning to handle)

13. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

Councilmember Lang introduced two students from Modesto High School.

ORDINANCES

CONSENT

14. Final adoption of the following:

- a. Ord. No. 1985-C.S. rezoning from R-2 to P-D(274) property located on the east side of Lakewood between E. Orangeburg and Laramie.
(Horn Construction)
- b. Ord. No. 1986-C.S. rezoning from R-1 to P-D(168) to add additional property units, property located at the northwest corner of Scenic and Rose. (Rosegate Investment)

(Motion approving needed.)

ACTION: By motion, Ordinances adopted, (Clerk to handle)

15. Reconsider the abandonment of 20' public alley in Block 333, east of Rosedale Avenue, south of Sierra Drive.
(At the meeting of October 7, 1980, Councilmember Elliott made a motion to reconsider this item.)

Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Bright/Kullijian, majority, Muratore, Siefkin-no, Lang absent) approved installation of hydrant, if necessary, at City expense.

Res. 80-1051 adopted (Kullijian/Elliott, unan., Lang absent) vacating and abandoning alley.
(Fire/Planning to handle)

NEW BUSINESS

CONSENT

16. Consider authorizing an agreement between the City and the United California Mortgage (UCM) by which UCM would act as servicing agent for Rehabilitation Loans funded by California Housing Finance Agency (CHFA).
(Memo with agenda. Resolution authorizing City Manager to sign agreement needed.)

ACTION: Res. 80-1052 adopted authorizing City Manager to sign agreement. (Planning to handle)

CONSENT

17. Consider authorizing a non-exclusive sewer easement to Beard Land Improvement Company. (Stanislaus County is in the process of widening Mitchell Road adjacent to the City-County Airport. Part of the project entails relocating an existing industrial sewer line. This relocation and providing a new easement is Stanislaus County's responsibility. Therefore, they have asked the City of Modesto, as their partner at the Airport, to grant the easement to Beard Land. The easement is outside the security fence and will not interfere with Airport operations. Recommend approval. Resolution authorizing the granting of an easement needed.)

ACTION: Res. 80-1053 adopted authorizing the granting of an easement. (P.W. to handle)

CONSENT

18. Consider request for sewer service to property outside City limits at 306 Amador Avenue, located on the south side of Amador Avenue between Seattle Street and Spokane Street. Owners: Calvin and Martha Houston
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-1054 adopted approving agreement. (P.W. to handle)

CONSENT

19. Consider approving agreement with Annie Christian for the purchase of 900 square feet right of way needed for Sylvan Avenue widening project.
(Mrs. Christian has agreed to settle for the appraised amount of \$2,700. The City is acquiring minimum right of way from her to avoid disturbing her home. Resolution approving agreement needed. Estimated cost: \$2,700; funds are budgeted.)

ACTION: Res. 80-1055 adopted approving agreement. (P.W. to handle)

CONSENT

20. Consider agreement with Ruth & Going, Inc. to perform engineering and environmental studies for the proposed Brighton Avenue bridge over Dry Creek.
(The study will include various alternate routes, cost estimates, traffic studies, and an environmental impact report. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$65,000; funds are budgeted.)

ACTION: Res. 80-1056 adopted approving agreement. (P.W. to handle)

CONSENT

21. Consider approval of Comprehensive Employment and Training Administration (CETA) contracts.

(Memo with agenda. Resolution approving CETA Program Grant No. 06-0026-21 and resolution approving CETA Program Grant No. 06-0026-60 needed.)

ACTION: Res. 80-1058 adopted approving Grant No. 06-0026-21 for 1979-1980, \$262,171.26.

Res. 80-1059 adopted approving Grant No. 06-0026-60 for 1979-1980, \$343,943.84.

Res. 80-1060 adopted approving Grant No. 06-0026-21 for 1980-81, \$218,961, and Grant No. 06-0026-60 for 1980-81, \$32,949. (Mgmt. Services to handle)

CONSENT

22. Consider agreements with the State for upgrading advance railroad warning signs.

(Memo with agenda. A federal program will pay 90% of the cost of replacing old railroad signs and installing signs where there are none. Resolution approving Program Supplements Nos. 13 and 14 to State Agreement No. 10-5059 needed. Estimated cost: \$189 City; \$1,687 Federal; \$1,876 Total; funds are budgeted.)

ACTION: Res. 80-1061 adopted approving Program Supplements Nos. 13 and 14 to State Agreement. (P.T. to handle)

CONSENT

23. City lease agreement with Head Rest, Inc., for rental of room #206 in the Modesto Community Service Center.

(City lease with Head Rest, Inc. will be on a month-to-month basis. The agreement with Head Rest is for the period of time between October 1, 1980, and November 30, 1980, rental for the use of room #206 will be \$135 per month. On December 1, 1980, rental will be \$160 per month. Resolution approving agreement needed.)

ACTION: Res. 80-1062 adopted approving agreement. (P.R. to handle)

CONSENT

24. Consider authorizing grant application for \$47,625 under the Roberti-Z'berg Urban Open Space and Recreation Program Act for Beard Brook Park renovation.

(Memo with agenda. Resolution authorizing grant application needed. Estimated cost: \$63,500; funds are budgeted.)

ACTION: Res. 80-1063 adopted authorizing grant application. (P.R. to handle)

CONSENT

25. Consider joining in an amicus curiae brief in the case of City of Chula Vista v. Pagard et al. relating to zoning regulations.

(Memo with agenda. Motion authorizing Modesto's participation needed.)

ACTION: By motion, authorized Modesto's participation. (Atty. to handle)

CONSENT

26. Consider approval of the final map of West Campus Business Center No. 1 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: David & Natalie Hannal, J. A. & Billie M. Saletta, and Modesto Business Park.
(The subdivision agreement has been signed and all fees paid. West Campus Business Center is located west of Carpenter Road and south of Blue Gum Avenue. It contains 32.550 acres. Resolution approving final map needed.)

ACTION: Res. 80-1064 adopted approving final map, (P.W./Clerk to handle)

27. Consider proposal by Councilmember Elliott for evaluating requests for City financial assistance.
(Memo with agenda. Resolution approving policy needed.)

ACTION: Res. 80-1065 adopted (Elliott/Lang, unan.) approving policy with words "fine arts" substituted for word "music", (Manager to handle)

28. Consider proposed policy for evaluating requests for direct City assistance.
(Memo with agenda. Resolution approving policy needed.)

ACTION: Res. 80-1066 adopted (Elliott/Siefkin, unan.) approving policy as recommended. (Manager to handle)

CONSENT

29. Consider approval of the final map of Mountain Home Estates subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: J-K Development Company.
(The subdivision agreement has been signed and all fees paid. Mountain Home Estates is located west of Crows Landing Road and south of Imperial Avenue. It contains 20.96 acres. Resolution approving final map needed.)

ACTION: Res. 80-1067 adopted approving final map, (P.W./Clerk to handle)

REPORTS

CONSENT

30. Presentation of Financial Statement for September, 1980.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion receipt of report acknowledged.

MISCELLANEOUS

31. Legislation

None

32. Appointments

ACTION: Res. 80-1068 adopted (Siefkin/Elliott, unan.) appointing members to the Modesto Youth Commission: Denise Ward, Marlene Gong, terms to expire 6/1/81; and Ty Beckman, Shelley Avila, terms to expire 12/1/81.

Res .80-1069 adopted (Siefkin/Elliott, unan.) reappointing Dennis Wilson to the D.I.D. Advisory Board, term to expire 3/28/81.

33. Matters too late for the agenda

None

The meeting adjourned at 9:17 p.m. to executive session at the request of the Chief of Police.

ATTEST:



JUDY C. HALL, Acting City Clerk

Modesto City Council
Regular Meeting
October 21, 1980
4:00 p.m.

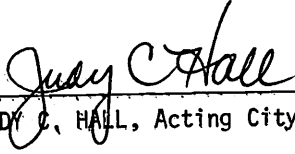
In the absence of the Mayor and Vice Mayor, the Acting City Clerk called the meeting to order. The roll call was as follows:

Present: Councilmembers: None

Absent: Councilmembers: Bright, Elliott, Kullijian, Lang,
Muratore, Stiefkin, Mayor Mensinger

Due to a lack of a quorum, the meeting was continued to Thursday, October 23, 1980, at 4:00 p.m.

ATTEST:



JUDY C. HALL, Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

**AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 21, 1980 AT 4:00 P.M. TO BE
ADJOURNED TO THURSDAY, OCTOBER 23, 1980, AT 4:00 P.M.**

**Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore,
Acting Mayor Siefkin**

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Tom Foster, St. Paul's Episcopal Church

**CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15,
16, 17, 20, 22, 23, 24, 25, 26, 27**

Removed from consent: 19

ACTION: (Kullijian/Muratore, unan., Mayor Mensinger absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the Council meeting of October 14, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved. (Clerk to handle)

COMMUNICATIONS

CONSENT

2. Letter from Bernard D. Enarson appealing a decision of the Board of Zoning Adjustment regarding landscaping on property located at 2432 Pamela Lane.
(Resolution setting hearing November 18, 1980, at 4:00 p.m. needed.)

ACTION: Res. 80-1069 adopted setting hearing. (Clerk to handle)

CONSENT

3. Letter from William C. Ulm resigning from the Farm-City Advisory Committee.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 80-1070 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for the construction of drainage and sanitary sewer facilities and water mains in the Orchard Neighborhood area. Suggested bid opening date: Nov. 25, 1980 at 11:00 a.m. (This is to provide sewer, storm drainage, and water service to the area. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$1,256,362.80 (Contr. \$1,196,536; Eng. \$59,826.80). Funds are budgeted.)

ACTION: Res. 80-1071 adopted calling for bids.

(P.W. to handle)

CONSENT

5. Consider award of contract for repiping of Carver-Scott lift station. (Bids were opened October 14, 1980, and the low bid of \$27,148 submitted by Wayne Fregien Construction was 5.9% below the Engineer's estimate and is considered acceptable. It is therefore recommended by the Public Works Department to award the contract to them. Resolution awarding contract to Wayne Fregien Construction needed. Estimated Cost: \$30,033 (Contr. \$27,148; Eng. \$2,885). Funds are budgeted.)

ACTION: Res. 80-1072 adopted awarding contract.

(P.W. to handle)

CONSENT

6. Consider acceptance of George Reed, Inc's contract for improvement of Morris Avenue from McHenry Avenue to Ramona Avenue as complete. (Original contract: \$89,929) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final Cost: \$88,200.98. Funds are budgeted.)

ACTION: Res. 80-1073 adopted accepting work as complete.

(Clerk to handle)

CONSENT

7. Consider ratifying specifications and call for bids for the City's Dial-A-Ride system. Suggested bid opening date: November 12, 1980, at 2:30 p.m. (The call for bids is a joint effort with the County of Stanislaus in an attempt to obtain a single operator for the County's rural transit system and the City's Dial-A-Ride system. A resolution ratifying the specifications and calling for bids needed. Estimated Cost: \$200,000. Funds are budgeted.)

ACTION: Res. 80-1074 adopted calling for bids,

(P.T. to handle)

CONSENT

8. Consider authorizing the purchase of 2 rebuilt exchange bus transmissions from the Graham Brake and Diesel Company for the total price of \$8,138. (Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-1075 adopted authorizing purchase.

(Finance to handle)

CONSENT

9. Authorize issuance of purchase order to Del Este Water Company for the relocation of water lines and the removal and replacement of 3/4" water services in conjunction with the construction of the West Trunk Sewer.

(This work is needed to complete the West Trunk Sewer project which is in progress at this time. Resolution authorizing issuance of purchase order to Del Este Water Company needed. Estimated cost: \$6,785; funds are budgeted.)

ACTION: Res. 80-1076 adopted authorizing issuance of a purchase order. (P.W. to handle)

HEARINGS

10. Hearing regarding acquisition of the Ramont's property at Jefferson at Chestnut for expansion of the City's bus service yard . No. 1

ACTION: Res. 80-1077 adopted (Muratore/Lang, unan., Mayor absent) approving filing the grant application. (P.T. to handle)

11. Hearing on request by Jess Marchant, Turlock Carton Press, for a license to collect salvageable waste. No. 2

ACTION: By motion (Muratore/Elliott, unan., Mayor Mensinger absent) hearing continued to November 18, 1980, 4:00 p.m. and staff directed to contact licensed salvageable waste collectors for answers to questions raised. (P.W./Clerk to handle)

12. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

13. Final adoption of Ord. No. 1987-C.S. rezoning from R-3 to P-D(276) to allow a conversion of duplexes to condominiums, property located on the south side of Evergreen, west of Carver. (Rule Enterprises)
(Motion approving needed.)

ACTION: By motion, Ord. No. 1987-C.S. adopted (Clerk to handle)

NEW BUSINESS

CONSENT

14. Consider City of Modesto, Stanislaus County agreement regarding provision of emergency preparedness services.
(Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer needed. Estimated cost: \$5,255)

ACTION: Res. 80-1078 adopted approving agreement. (Fire to handle)

CONSENT

15. Consider request for sewer service to property outside City limits at the east side of Spencer Avenue between Truman Avenue and California Avenue. Owners: Melvin D. and Mandy Williams.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-1079 adopted approving agreement. (P.W. to handle)

CONSENT

16. Consider approval of the final map of Janay Meadows subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Ronald & Gail Wose and Bonham Builders, Inc.
(The subdivision agreement has been signed and all fees paid. Janay Meadows is located on the north side of Scenic Drive, opposite Wycliffe Drive.. It contains 1.659 acres. Resolution approving final map needed.)

ACTION: Res. 80-1080 adopted approving final map. (Clerk to handle)

CONSENT

17. Consider acceptance of improvements in Dutchollow Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Paul M. and Liberty M. Zagaris (Dutchollow Estates subdivision is located north of Veneman Avenue, east of Dale Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-1081 adopted accepting improvements as complete. (Clerk to handle)

18. Consider revised role for the local Airport Advisory Committee.
(Memo with agenda. Motion acknowledging receipt of report and accepting recommendation needed.)

ACTION: By motion (Elliott/Bright, unan., Mayor Mensinger absent) receipt of report acknowledged and recommendations approved. (Mgr. to handle)

19. Consider approving agreement with Katherine Reid for the purchase of 16.7[±] acres of her property needed for McKinney Colony School and Park Site. Also consider approving agreements with F. A. Van Konyenburg and Carolyn Van Konyenburg for the cancellation of their option on the Reid property, the continued leasing/renting of the Reid property and the removal of an old house.
(Mrs. Reid has agreed to sell the required property for the appraised value of \$298,500. Memo with agenda. Resolution approving agreement with Katherine Reid needed and two resolutions approving agreements with the Van Konyenburgs. Estimated cost: \$303,500 (\$298,500 cost; \$5,000 est. escrow); funds are budgeted.)

ACTION: Res. 80-1082 adopted (Elliott/Muratore, unan., Mayor Mensinger absent) approving agreement with Stanislaus Union School District regarding payment to City if land is sold.
Res. 80-1083 adopted (same vote) approving agreement with Katherine Reid.
Res. 80-1084 adopted (same vote) approving agreement with F.A. Van Konyenburg for purchase of property.
Res. 80-1085 adopted (same vote) approving lease agreement with F.A. Van Konyenburg, (P.W. to handle)

CONSENT

20. Consider authorizing the Police Department to charge a \$2 service fee for transmitting "Visa Clearance Letters" and conducting police records checks not connected with the issuance of a city permit or license.
(Memorandum with agenda. Resolution authorizing service fee needed.)

ACTION: Res. 80-1086 adopted authorizing service fee, (Police to handle)

21. Alcoholic beverages in conjunction with meals, Amendment to C-1 Zone.
(Memo with agenda indicates three options - amend C-1 Zone to permit as a matter of right, amend C-1 Zone to permit via Conditional Use Permit, and drop matter from consideration. Resolution initiating proceedings for a Code Text amendment needed or motion dropping the matter from further consideration needed.)

ACTION: By motion (Kullijian/Bright, unan., Mayor Mensinger absent) further consideration dropped.

CONSENT

22. Consider not opening new garage for this Christmas Season.
(Memo with agenda. Under contract's provisions, the 11th Street garage is to be opened between 11/26/80 and 1/2/81. It is recommended that this requirement be waived. Resolution approving waiving of Section 1.05 of the garage specifications needed.)

ACTION: Res. 80-1087 adopted waiving requirement, (P.T. to handle)

CONSENT

23. Recommend an amendment to P-D(178) - Norman Winsor.
(On October 6, 1980, the Planning Commission adopted Resolution 80-250 recommending to the Council an amendment to P-D(178) to allow conversion of existing apartments to residential condominiums, property located on Standiford Avenue, west of McHenry Avenue. Resolution setting public hearing Tuesday, November 18, 1980 at 4:00 p.m. needed.)

ACTION: Res. 80-1088 adopted setting hearing.

(Clerk to handle)

CONSENT

24. Recommend to Council an amendment to Section 25-3-9 to rezone from R-3 to H-1 and an amendment to Section 36-3-9 to rezone from M-2 to H-1 - Horn Construction.
(On October 6, 1980, the Planning Commission adopted Resolution 80-254 recommending to the City Council an amendment to Section 25-3-9 of the Zoning Map to rezone from R-3 to H-1, and Section 36-3-9 of the Zoning Map to rezone from M-2 to H-1, property located on the north side of Yosemite Boulevard opposite Mariposa Road. Resolution setting public hearing Tuesday, November 18, 1980 at 4:00 p.m. needed.)

ACTION: Res. 80-1089 adopted setting hearing.

(Clerk to handle)

CONSENT

25. Consider approval of the final maps of Mount Vernon Plaza Nos. 1 through 8 subdivisions of the City of Modesto and authorizing agreements with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Mt. Vernon Investment Group.
(The subdivision agreements have been signed and all fees paid. Mount Vernon Plaza Nos. 1 through 8 are located west of Prescott Road at Mount Vernon Drive. Eight resolutions approving eight final maps needed.)

ACTION: Res. 80-1090 adopted approving final map of Mount Vernon Plaza No. 1.
Res. 80-1091 adopted approving final map of Mount Vernon Plaza No. 2.
Res. 80-1092 adopted approving final map of Mount Vernon Plaza No. 3.
Res. 80-1093 adopted approving final map of Mount Vernon Plaza No. 4.
Res. 80-1094 adopted approving final map of Mount Vernon Plaza No. 5.
Res. 80-1095 adopted approving final map of Mount Vernon Plaza No. 6.
Res. 80-1096 adopted approving final map of Mount Vernon Plaza No. 7.
Res. 80-1097 adopted approving final map of Mount Vernon Plaza No. 8.

REPORTS

(Clerk to handle)

CONSENT

26. Notice of Western Union application to increase charges.
(Memo with agenda. The increases in various charges vary. It is recommended that this matter be left to the PUC. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

APPROPRIATION TRANSFERS

CONSENT

27. Consider fund transfer to cover plumbing replacement at Fire Station No. 1.
(Memo with agenda. Resolution approving appropriation transfer needed. Estimated cost: \$6,000; funds are budgeted.)

ACTION: Res. 80-1098 adopted approving appropriation transfer. (Finance to handle)

MISCELLANEOUS

28. Legislation

None

29. Appointments

None

30. Matters too late for the agenda.

None

Adjourned at 5:15 p.m.

ATTEST:


Norrine Coyle
NORRINE COYLE City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 28, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore,
Vice Mayor Siefkin

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 8, 13, 14, 15, 18, 20, 21

Dropped from agenda: 16

ACTION: (Lang/Muratore, unan., Mayor Mensinger absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the adjourned Council meeting of October 23, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

2. Letter from Rollin P. Keller resigning as a member of the Human Rights Commission, effective October 28, 1980.
(Resolution accepting resignation with regret.)

ACTION: Res. 80-1099 adopted accepting resignation with regret. (Clerk to handle)

3. Letter from Frank H. Machado of the Veterans Day Parade Committee requesting the use of the reviewing stand and the necessary personnel to erect and dismantle it.

ACTION: By motion (Elliott/Kullijian, unan., Mayor absent) request approved.
(P.R. to handle)

4. Letter from Mr. Alber of the Invisible Empire requesting a Parade Permit.

ACTION: Res. 80-1100 adopted (Kullijian/Elliott, unan., Mayor absent) setting hearing
November 4, 1980, at 4:00 p.m. (Clerk to handle)

5. Letter from Lydia Villarreal of the Coalition for Multi-Cultural Unity, requesting an opportunity to speak against the presence and views of the Ku Klux Klan.

No action taken.

BIDS

7. Consider declaring Ten-Four Communications sole bidder and authorize the purchase of 23 Police frequency scanners from the firm for the total purchase price of \$6,410.72.
(Memorandum with agenda. Resolution awarding bid to Ten-Four Communications needed. Funds are budgeted.)

ACTION: Res. 80-1101 adopted (Kullijian/Muratore, unan., Mayor absent) awarding bid.
(Finance to handle)

CONSENT

8. Consider accepting bid for the removal of four underground fuel tanks at old corporation yard.
(The old corporation yard has four underground fuel tanks which must be removed. Bids were solicited and the low bidder was Modesto Sand and Gravel at \$3,800. Memo with agenda. Resolution approving awarding of bid needed. Funds are budgeted.)

ACTION: Res. 80-1102 adopted awarding bid. (P.W. to handle)

HEARINGS

9. Hearing on appeal of Carmen M. Garcia to a Board of Zoning Adjustment decision regarding a conditional use permit for property at 115 Jones Street. No. 1

ACTION: Res. 80-1103 adopted (Muratore/Lang, unan., Mayor Mensinger absent) denying the appeal.

10. Hearing on vacation and abandonment of 6' walkway in Blocks 13106 and 13105 between Lexington Drive and Annapolis Avenue, west of Coventry Way. No. 2

ACTION: Res. 80-1104 adopted (Muratore/Elliott, unan., Mayor Mensinger absent) approving abandonment. (Planning to handle)

11. Hearing on amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D(277) and P-D(278) property located along the south side of Princewood Lane and Sylvan Avenue and the east side of Kingswood, to allow conversion to condominiums of existing units. (Rule Enterprises) No. 3

ACTION: By motion (Lang/Muratore, unan., Mayor Mensinger absent) Ord. No. 1988-C.S. introduced rezoning to P-D(277).

Res. 80-1105 adopted (same vote) approving development plan on P-D(277).

By motion (same vote) Ord. No. 1989-C.S. introduced rezoning to P-D(278).

Res. 80-1106 adopted (same vote) approving development plan of P-D(278).

12. Matters for the good of the community. (Clerk to handle)
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

13. Consider amending Municipal Code regarding use of City parks. (Memorandum with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 1990-C.S. introduced amending Code. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Consider approval of the final map of Modesto Las Casitas subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Richard R. and Carol R. Marmon, George J. and Phyllis M. Rose, and Benjamin B. and Mavis M. Hurwitz.
(The subdivision agreement has been signed and all fees paid. Modesto Las Casitas is located on the south side of Fairmont Avenue, west of Coffee Road. It contains 0.759 acres. Resolution approving final map needed.)

ACTION: Res. 80-1107 adopted approving final map. (Clerk to handle)

CONSENT

15. Consider approval of the final map of Northcreek Townhouses subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: James R. Corn Enterprises.
(The subdivision agreement has been signed and all fees paid. Northcreek Townhouses is located on the north side of Scenic Drive, west of Oakdale Road. It contains 4.27 acres. Resolution approving final map needed.)

ACTION: Res. 80-1108 adopted approving final map. (Clerk to handle)

CONSENT

16. Consider approval of the final map of Anwar Manor subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: William E. and Betty L. Ferrell.
(The subdivision agreement has been signed and all fees paid. Anwar Manor is located east of Spencer Avenue and north of California Avenue. It contains 3.90 acres. Resolution approving final map needed.)

DROPPED FROM AGENDA

17. Consider waiver to Municipal Code requirement that property be connected to sanitary sewer not later than five years after sewer becomes available.
(In connection with their consideration of the Blue Gum-Rosemore Island Annexation the Board of Supervisors requested that Modesto reconsider its sewer policy to allow continued use of existing septic tanks until such time as they fail to function. See memo with agenda from Assistant Director of Public Works Kaufman. Motion reaffirming City's sewer policy or resolution granting an exception to the five year mandatory connection policy needed.)

ACTION: By motion (Lang/Elliott, unan., Mayor absent) present policy of requiring sewer hook-up in five years retained. (Planning/P.W. to handle)

CONSENT

18. Consider approving minor routing and timetable revisions to the City's fixed-route bus system (Intracity Transit).
(Heavy passenger loads, inflexible timetables and heavy traffic are causing IT buses to run late on several routes. These revisions will correct this problem and make the IT schedules attainable. Motion authorizing staff to implement revisions including future minor modifications needed.)

ACTION: By motion, revisions and modifications approved. (P.T. to handle)

19. Consider approval of agreements with Bache, Halsey, Stuart, Shields, Inc. for a preliminary underwriting agreement, with Laventhol and Horwarth for a bond feasibility study and with Jones, Hall, Hill and White for bond counsel services connected with mortgage revenue bonds.

(Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer needed. Estimated cost: \$25,000; funds are budgeted.)

ACTION: Res. 80-1109 adopted (Bright/Elliott, Kullijian, Muratore-no, Mayor Mensinger absent) approving agreement with Bache, Halsey, Stuart, Shields, Inc.

Res. 80-1110 adopted (same vote) approving agreement with Laventhol and Horwarth.

Res. 80-1111 adopted (same vote) approving agreement with Jones, Hall, Hill and White.

Res. 80-1112 adopted (same vote) approving appropriation transfer of \$1,500.
(Mgr./Finance to handle)

CONSENT

20. Consider Whitmore No. 2 Governmental Reorganization to the City of Modesto. (On October 15, 1980, LAFCO approved the Whitmore No. 2 Governmental Reorganization to the City of Modesto. The Governmental Reorganization would include annexation to the City, detachment from the Industrial Fire District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. LAFCO resolution, EA and maps with agenda. Resolution ordering the Whitmore No. 2 Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 80-1113 adopted ordering Whitmore No. 2 Governmental Reorganization.
(Clerk to handle)

REPORTS

CONSENT

21. Modesto Chamber of Commerce quarterly report (July, August, September, 1980).
(Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

22. Legislation

None

23. Appointments

None

24. Matters too late for the agenda

Councilmember Muratore said his name had been submitted for membership on the League of California Cities' Transportation Committee.

Adjourned at 10:10 p.m.

ATTEST:



NORRINE COYLE, City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 4, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Charles Wheatley, United Brethren Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 15, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27

ACTION: (Kullijian/Lang, unan., Mayor Mensinger absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

PRESENTATION

1. Suggestion Awards
(Charlie Keys - (\$200), Management Services Department employee, for implementing the pre-sort system for outgoing mail. This proposal will save \$4,000 to \$7,000 per year.)

ACTION: Award presented by Acting Mayor Siefkin.

MINUTES

CONSENT

2. Approval of the minutes of the October 28, 1980, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

3. Letter from Modesto City Schools District concerning the restriction of sales of drug paraphernalia.

ACTION: By motion (Lang/Muratore, unan., Mayor absent) staff directed to report back the first meeting in January on the status of litigation concerning restrictions on sales of drug paraphernalia.
(Atty. to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for Beard Brook Park parking lot renovation.
(The current parking area is oiled dirt and is in poor condition. Suggested bid opening date is November 25, 1980 at 11:15 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$22,100 (Contr. \$19,200; Eng. \$2,900). Funds are budgeted.)

ACTION: Res. 80-1114 adopted calling for bids. (P.W. to handle)

CONSENT

5. Consider acceptance of William M. Mineni's contract to construct restroom building at Sylvan Park as complete. (Original contract: \$57,400).
(All work on this project has been completed to the satisfaction of the Parks and Recreation and Public Works Departments. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$59,700. Funds are budgeted.)

ACTION: Res. 80-1115 adopted accepting work as complete. (Clerk to handle)

CONSENT

6. Consider acceptance of The Flintkote Company's contract for resurfacing City streets 1980-81 as complete. (Original contract: \$155,565.20).
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$158,750.60. Funds are budgeted.)

ACTION: Res. 80-1116 adopted accepting work as complete. (Clerk to handle)

CONSENT

7. Consider acceptance of George Reed Inc.'s contract for reconstruction of Dale Road: Vintage Faire to Snyder Avenue as complete. (Original contract: \$48,778)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$49,102.67. Funds are budgeted.)

ACTION: Res. 80-1117 adopted accepting work as complete. (Clerk to handle)

HEARINGS

8. Appeal of Mr. Bill Albers, Invisible Empire, to the decision of the Chief of Police denying a parade permit. No. 1

ACTION: Res. 80-1118 (Muratore/Kullijian, unan., Mayor Mensinger absent) upholding decision of the Chief of Police.

9. Hearing on the annexation of Scenic-Coffee
Annexation to the City of Modesto.

No. 2

ACTION: Res. 80-1119 adopted (Kullijian/Bright, unan., Mayor Mensinger absent)
annexing. (Clerk to handle)

10. Hearing on amendment to Section 15-3-9 of the
Zoning Map to rezone from P-0 to P-D(282) to allow
conversion of Park Greenbriar Apartments to condo-
miniums, property located east of Coffee Road,
south of Ensenada Drive. (Contek Associates)

No. 3

ACTION: By motion (Bright/Lang, unan., Mayor Mensinger absent) Ord. No. 1991-C.S.
introduced rezoning.

Res. 80-1120 adopted approving development plan. (Clerk/Planning to
handle)

11. Hearing on amendment to Section 15-3-9 of the
Zoning Map to rezone from R-3 to P-D(281) to allow
conversion of Villa Verde Celeste apartments to
condominiums, property located east of Coffee Road,
north of Celeste. (Contek Associates)

No. 4

ACTION: By motion (Bright/Lang, unan., Mayor Mensinger absent) Ord. No. 1992-C.S.
introduced rezoning.

Res. 80-1121 adopted approving development plan. (Clerk/Planning to handle)

12. Hearing on amendment to Section 15-3-9 of the
Zoning Map to rezone from P-0 and R-3 to P-D(280)
to allow conversion of Villa Verde North apartments
to condominiums, property located east of Coffee
Road, north of Celeste. (Contek Associates)

No. 5

ACTION: By motion (Bright/Lang, unan., Mayor Mensinger absent) Ord. No. 1993-C.S.
introduced rezoning.

Res. 80-1122 adopted approving development plan. (Clerk/Planning to handle)

~~Zoning Map to rezone from R-1 to P-D(279) to~~
allow one and two-story condominium development,
property located on the north side of E. Orangeburg,
west of Claus. (Dorothy Chappell)

ACTION: By motion (Kullijian/Muratore, unan., Mayor Mensinger absent) Ord. No. 1994-C.S.
introduced rezoning.

Res. 80-1123 adopted (same vote) approving development plan.

Res. 80-1124 adopted (same vote) certifying review of Environmental Impact
Review. (Clerk/Planning to handle)

14. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

15. Final adoption of:

- (a) Ordinance No. 1988-C.S. and 1989-C.S. rezoning from R-2 to P-D(277) and
P-D(278) property on the south side of Princewood Lane and Sylvan Avenue
and east side of Kingswood to allow conversion to condominiums. (Rule
Enterprises)
- (b) Ord. No. 1990-C.S. amending the Modesto Municipal Code relating to use of
parks.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

NEW BUSINESS

16. Request for mid-block crosswalk on H Street between 17th and 18th Streets.
(Memo with agenda. City Hospital wants the crosswalk to facilitate movement
between its parking lot and the hospital. Staff does not recommend the cross-
walk. Motion denying the request or resolution approving the request needed.
Estimated cost: \$50; funds are budgeted.)

ACTION: By motion (Lang/Kullijian, unan., Mayor absent) request for crosswalk denied.

CONSENT

17. Consider consenting to amendment of the Declaration of Covenants, Conditions and
Restrictions for Valencia Plaza No. 1 subdivision.
(This is a recorded subdivision, and the developer has requested that the City
consent to a revision of the Declaration. The revision would require the home-
owners, rather than the Homeowners Association, to be individually responsible
for the maintenance of certain sewer lines in the subdivision. The revision is
acceptable by staff. Resolution consenting to amendment of the Declaration of
Covenants, Conditions and Restrictions for Valencia Plaza No. 1 subdivision
needed.)

ACTION: Res. 80-1125 adopted consenting to amendment.

(Clerk to handle)

CONSENT

18. Request by Salida Union School District for transfer of title to Pelandale Neighborhood School site.
(Memo with agenda. Resolution authorizing transfer of property and execution of deed needed.)

ACTION: Res. 80-1126 adopted authorizing transfer of property and execution of deed.
(P.W. to handle)

CONSENT

19. Consider authorizing an agreement between the City and The Stanislaus County Housing Authority by which the City advances the Housing Authority CDBG funds to acquire public housing sites. Funds to be reimbursed by the Housing Authority upon completion of construction and financing.
(This program was included in the 1980-81 CDBG application approved by the City Council. Resolution approving agreement needed. Estimated cost: \$75,000; funds are budgeted.)

ACTION: Res. 80-1127 adopted approving agreement. (Planning to handle)

20. Consider approving civil rights related amendments for 14 leases at the Modesto City-County Airport.
(The Federal Aviation Administration has directed recipients of Federal Aviation Grants to include certain language in their leases as part of the nondiscrimination rule. Memo with agenda. 14 resolutions approving amendments needed.)

ACTION: Res. 80-1128 adopted (Lang/Elliott, unan., Mayor Mensinger absent) approving amended agreement with Donald P. La Tourette.
Res. 80-1129 adopted (same vote) approving amended agreement with Guidelines Industries.
Res. 80-1130 adopted (same vote) approving amended agreement with Security Transport.
Res. 80-1131 adopted (same vote) approving amended agreement with Golden Gate Airlines.
Res. 80-1132 adopted (same vote) approving amended agreement with Pacific Aircraft Services.
Res. 80-1133 adopted (same vote) approving amended agreement with Hendley's Aviation Service.
Res. 80-1134 adopted (same vote) approving amended agreement with Avis Rent-a-Car.
Res. 80-1135 adopted (same vote) approving amended agreement with California Air Charter.
Res. 80-1136 adopted (same vote) approving amended agreement with Hertz Corp.
Res. 80-1137 adopted (same vote) approving amended agreement with Gottschalk Flight Center.
Res. 80-1138 adopted (same vote) approving amended agreement with Snider Lumber Products.
Res. 80-1139 adopted (same vote) approving amended agreement with United Courier, Inc.
Res. 80-1140 adopted (same vote) approving amended agreement with Whipple Aviation.
Res. 80-1141 adopted (same vote) approving amended agreement with Hawke Flying Service.
(P/W to handle)

CONSENT

21. Consider approving agreement with Executive Skyways, Inc., for a fixed base operator lease at the Modesto City-County Airport/Harry Sham Field. (Lease is for Hangar #1, Office A in Office Building No. 2 and 13 aircraft tie-down spaces. The lease expires June 30, 1983. This is a renewal of an existing lease. Executive Skyways, Inc. has reorganized and Mr. Donald Morelli is now principle stockholder. Monthly rental charges for this lease are as established from time to time by resolution of the City Council. Resolution approving lease agreement needed.)

ACTION: Res. 80-1142 adopted approving lease agreement. (P.W. to handle)

CONSENT

22. Consider upgrading pre-employment physical examinations for employees. (Memo with agenda. Resolution approving appropriation transfer from General Reserve to fund pre-employment physical examinations for remainder of fiscal year. Estimated cost: \$1,700.)

ACTION: Res. 80-1143 adopted approving appropriation transfer. (Mgmt. Services to handle)

CONSENT

23. Recommend to Council an amendment to the Standard Specifications. (On October 27, 1980, the Planning Commission adopted Resolution 80-269 recommending to the City Council an amendment to the City of Modesto Standard Specifications pertaining to testing and shipping of asbestos cement pipe. Resolution approving amendment to Standard Specifications needed.)

ACTION: Res. 80-1144 adopted approving amendment to Standard Specifications. (P.W. to handle)

CONSENT

24. Recommend to Council an amendment to Section 10-3-9 of the Zoning Map - Modesto Development. (On October 27, 1980, the Planning Commission adopted Resolution 80-267 recommending to the Council an amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D(284) to allow conversion of 19 existing apartments to condominiums, property located on the south side of Sylvan, east of Keller. Resolution setting public hearing November 25, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-1145 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend to Council an amendment to Section 12-3-8 of the Zoning Map - J. C. Properties.

(On October 27, 1980, the Planning Commission adopted Resolution 80-263 recommending to the City Council an amendment to Section 12-3-8 of the Zoning Map to rezone from P-0 to P-D, to allow construction of a professional office complex including freestanding banks, savings and loan associations or other financial institutions on the east side of Dale Road, north of Veneman. Resolution setting public hearing November 25, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-1146 adopted setting hearing. (Clerk to handle)

25A. Consider participation in the California Arts Council's State/Local Partnership Program.

(Memo with agenda. Resolution indicating which of the two options Council wishes to follow needed.)

ACTION: Res. 80-1147 adopted (Kullijian/Bright, unan., Mayor Mensinger absent) approving option "B". (P.R. to handle)

REPORTS

CONSENT

26. Presentation of the Annual Financial Report and the Annual Audit Report for the fiscal year ended June 30, 1980.

(The Annual Financial Report has been prepared by the Finance Department in accordance with the City Charter, Sections 801(c) and 1306; and the fiscal records of the City of Modesto have been audited by Lowry, Pimentel and Deckard, Certified Public Accountants. Copies of both reports will be presented at the meeting. Motion acknowledging receipt of the reports and authorizing \$7,500 payment to Lowry, Pimentel and Deckard for the audit. Estimated cost: \$7,500; funds are budgeted.)

ACTION: By motion, receipt of report acknowledged and payment approved. (Finance to handle)

CONSENT

27. Fixed assets and revolving fund annual inventory report.

(The City Charter requires that an annual physical inventory of all City property be taken. The inventory has been completed, and a report is included with the agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

28. Legislation

None

29. Appointments

None

30. Matters too late for the agenda

Councilmember Elliott reminded Councilmembers of the American Legion's annual Veteran's Day dinner on November 11, 1980.

Adjourned at 6:00 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF WEDNESDAY, NOVEMBER 12, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore,
Mayor Mensinger

Absent: Councilmember Siefkin

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
13, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26,
DROPPED FROM CONSENT: No. 27 28, 32

ACTION: (Lang/Muratore, unan., Siefkin absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the November 4, 1980, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

2. Letter from Fred G. Bubeck appealing a Planning Commission decision concerning television antennas in Modesto Verde Mobilehome Park.
(Resolution setting hearing December 9, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-1148 adopted, setting hearing. (Clerk to handle)

CONSENT

3. Letter from Dennis Wilson, Mid-Valley Engineering, appealing a decision of the Planning Commission concerning the tentative parcel map of property at the southwest corner of Briggsmore and Coffee Road. (Kaiser)
(Resolution setting hearing November 25, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-1149 adopted setting hearing. (Clerk to handle)

11/12/80

BIDS

CONSENT

4. Consider approving specifications and authorize call for bids to be opened December 2, 1980, at 2:00 p.m., for furnishing six parks turf trucks and one turf aerator.
(Requested by the Public Works Service Division, the equipment will be permanently dispatched to the Parks Division. The trucks and aerator will be used by maintenance crews to service parks and golf courses. The equipment will replace similar equipment presently in service. Resolution authorizing call for bids needed. Estimated Cost: \$26,404 - trucks, \$3,074 - aerator. Funds are budgeted.)

ACTION: Res. 80-1150 adopted calling for bids. (Finance to handle)

CONSENT

5. Consider declaring Best Chevrolet low bidder and authorize the purchase of one Police van from the firm for the total price of \$8,068.99.
(Memorandum with agenda. Resolution awarding bid needed. Funds are budgeted.)

ACTION: Res. 80-1151 adopted awarding bid. (Finance to handle)

CONSENT

6. Consider waiving formal bid procedures and authorize the purchase of Rainbird sprinkler parts from Controlled Irrigation for a total price of \$6,163.58.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 80-1152 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

7. Consider rejection of bids for the repiping of the Rose-Celeste lift station. (Bids were opened on October 14, 1980. The low bid of \$178,061.20, submitted by Superior Pipelines, Inc. is 13% above the engineer's estimate and considered unacceptable. It is therefore recommended by the Public Works Department that the bids be rejected. The project will be redesigned and we will call for rebids at a later date. Resolution rejecting bids for the repiping of the Rose-Celeste lift station needed. Estimated Cost: \$171,452.40 (Contract \$157,164.70; Eng. \$14,287.70) Approximately \$60,000 is budgeted.)

ACTION: Res. 80-1153 adopted rejecting bids. (P.W. to handle)

CONSENT

8. Consider acceptance of Joe Martin Pipeline, Inc.'s contract for construction of waterline extension in Woodland Avenue as complete. (Original contract: \$23,850) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$24,549. Funds are budgeted.)

ACTION: Res. 80-1154 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Grover Landscaping's contract for Wastewater Treatment Plant landscaping as complete. (Original contract and final cost: \$9,262.)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 80-1155 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of Lee White Paving Company's contract for paving of Police parking lot at 610 - 10th Street as complete. (Original Contract: \$29,950)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$30,900. Funds are budgeted.)

ACTION: Res. 80-1156 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider approving the purchase of 16 orthophoto prints for general engineering, planning and census work.
(The City has a contract with Towill, Inc., to provide aerial maps. By ordering the photos before November 19, 1980, we can save about \$600 on the purchase. Funds are budgeted. Resolution approving the purchase needed. Estimated Cost: \$5,478.)

ACTION: Res. 80-1157 adopted approving purchase. (P.W. to handle)

CONSENT

12. Consider issuance of Purchase Order to Hewlett Packard for the Water Automation Data Logger.
(Memo with agenda. Resolution authorizing purchase of Hewlett Packard Equipment for the total cost including sales tax and price increase, of \$52,952.61. Funds are budgeted.)

ACTION: Res. 80-1158 adopted authorizing purchase. (P.W. to handle)

CONSENT

13. Consider declaring the Southwestern Pump Company sole bidder and authorizing the purchase of one (1) sewerage lift station pump from the firm for the total price of \$7,142.80.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-1159 adopted authorizing purchase. (Finance to handle)

HEARINGS

14. Appeal by residents of Haddon Avenue, M.I.D. Lateral No. 2, Phoenix Avenue area to a decision of the Planning Commission regarding a tentative subdivision map. No. 1

ACTION: A motion to uphold the appeal failed to carry.

Res. 80-1160 (Elliott/Muratore, majority, Kullijian, Lang-no, Siefkin, absent) upholding Planning Commission decision and approving tentative subdivision map. (Planning to handle)

15. Informal hearing on recommendation from the Public Projects Committee - consider placing an advisory measure on the March, 1981 ballot concerning extension of either the Yosemite or Lakewood Trunk. (On July 8, 1980, the Council rejected placing a trunk sewer extension advisory measure before the voters in November, 1980, and directed that this matter be brought back for consideration for the March 1981 ballot.) No. 2

ACTION: By motion (Elliott/Bright, unan., Siefkin absent) priorities of sewer extensions were established as: 1) Lakewood I, 2) Yosemite I, 3) Yosemite II, 4) Sonoma II, with an advisory measure concerning Lakewood I to be placed on the March 1981 ballot.

(Atty./Clerk to handle)

16. Matters for the good of the community.
(These may be introduced by interested persons in the audience.)

None

ORDINANCES

CONSENT

17. Final adoption of:

- a. Ord. No. 1991-C.S., No. 1992-C.S., and No. 1993-C.S. rezoning to P-D(282), P-D(281), P-D(280), respectively, to permit conversion to condominiums apartments located east of Coffee Road, north of Celeste (Contek Associates).
- b. Ord. No. 1994-C.S. rezoning from R-1 to P-D(279) to allow a one and two story condominium development on the north side of E. Orangeburg west of Claus (Dorothy Chappel).

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

CONSENT

18. Consider entering an agreement with Stanislaus County to share in the cost of improving Sylvan Avenue between McHenry Avenue and Coffee Road. (Stanislaus County will agree to pay approximately 20% of the cost to resurface Sylvan Avenue. Total cost will be about \$250,000 and the County's share is about \$51,000. Resolution approving the agreement needed.)

ACTION: Res. 80-1161 adopted approving agreement. (P.W. to handle)

CONSENT

19. Consider approving lease agreement with George Fredrickson and Phillip Bravard for the lease of a portion of Fire Station No. 5. (This is a renewal of an existing lease. All terms remain the same and will expire October 31, 1981. The City will receive \$108 which pays for water and the \$25 rental charge. This is a small area that will eventually be landscaped and used for parking when funds are available. The lessees will use the area for a garden, thereby saving the City weed abatement costs. Resolution approving agreement needed.)

ACTION: Res. 80-1162 adopted approving agreement. (P.W. to handle)

CONSENT

20. Consider approval of an agreement with an architect for evaluating options for improvements to the City Hall Annex. (Funds are budgeted to evaluate alternatives for the City Hall Annex improvements. Phillip Grant Martin has been selected by the staff after negotiations with him to conduct the study. Resolution approving agreement needed. Estimated cost: (Architect's contract limit) \$12,000.)

ACTION: Res. 80-1163 adopted approving agreement. (P.W. to handle)

CONSENT

21. Consider approval of the final map of Anwar Manor subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers - William E. and Betty L. Ferrell. (The subdivision agreement has been signed and all fees paid. Anwar Manor is located east of Spencer Avenue and north of California Avenue. It contains 3.90 acres. Resolution approving final map needed.)

ACTION: Res. 80-1164 adopted approving final map. (Clerk to handle)

CONSENT

22. Consider approving agreement for Airport concession with Otis Lee, doing business as Modesto Cab Co. (Agreement is a renewal of an existing agreement. Agreement is for one year at \$140 and expires September 30, 1981. Rate is \$10 more than last year and it is consistent with that rate charged the competing cab company. Resolution approving agreement needed.)

ACTION: Res. 80-1165 adopted approving agreement. (P.W. to handle)

CONSENT

23. Consider approving lease agreement with Donald H. Scott and Margaret D. Scott for the lease of a portion of the former Bomberger Property (12.9² acres - part of future Dry Creek Park).
(Mr. Scott has been leasing this property for approximately one year. The property still has old fencing, delapidated buildings and various debris left from the original farmstead. Mr. Scott has agreed to remove and clean the area in return for one year's free rent. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 80-1166 adopted approving agreement.

(P.W. to handle)

CONSENT

24. Consider approving agreement with Charles C. and Frances H. Coon for the purchase of their property located at 117 Elm Street. Property is needed for expansion of the City Service Yard.
(The Coons have agreed to sell the required property for the appraised value of \$45,000. The property is occupied by a renter the City will continue to lease to in the foreseeable future. The property is being purchased now because it was listed for sale. Staff feels it would be appropriate to purchase the property now to avoid a conflict with another purchaser from who we would have to buy the property in the near future. Resolution approving agreement, resolution approving appropriation transfer and resolution certifying review of environmental assessment needed. Estimated cost of property \$45,000; estimated escrow \$1,000; Total \$46,000)

ACTION: Res. 80-1167 adopted approving agreement.

Res. 80-1168 adopted approving appropriation transfer.

Res. 80-1169 adopted certifying review of environmental assessment report.

(P.W. to handle)

CONSENT

25. Recommend to Council an amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-D(285) - Racquetclub Townhouses.
(On November 3, 1980, the Planning Commission adopted Resolution 80-279 recommending to Council an amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-D(285) property located on the south side of Norwegian Avenue west of McHenry to allow a two-story 9-unit townhouse condominium complex. Resolution setting public hearing December 9, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-1170 adopted setting hearing.

(Clerk to handle)

CONSENT

26. Recommend to Council an amendment to Section 7-3-9 of the Zoning Map - Terra Dynamics.

(On November 3, 1980, the Planning Commission adopted Resolution 80-278 recommending to the Council an amendment to Section 7-3-9 of the Zoning Map to rezone from R-2 to P-D(286) property located on the west side of Tully Road south of M.I.D. Lateral No. 6 to allow a residential condominium development. Resolution setting public hearing December 9, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-1171 adopted setting hearing.

(Clerk to handle)

27. Recommend to Council an amendment to Section 22-3-9 of the Zoning Map - Oakwood Builders.

(On November 3, 1980, the Planning Commission adopted Resolution No. 80-281 recommending to the Council an amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-D(287) property located at the southwest corner of Oakdale and Orangeburg to allow a complex containing professional offices, financial institution and residential condominiums. Resolution setting public hearing December 9, 1980, at 7:30 p.m. needed.)

ACTION: Res. 80-1172 adopted (Kullijian/Lang, unan., Siefkin absent) setting hearing December 9, 1980, 7:30 p.m.

(Clerk to handle)

CONSENT

28. Report of Superintendent of Streets on the cost of installation of curbs and/or sidewalks at the following locations:

- a. Curb along Sunrise Avenue at 820 Muir Road, Lott 11 Block 639. (Lonni Ashlock - \$940.50)
- b. Curb and sidewalk along Sunrise Avenue at 701 Dawn Drive, a portion of Block 1140. (Sally Beleme - \$1,210.00)
- c. Curb along Sunrise Avenue at 940 Oxford Way, a portion of Block 639. (Robert M. Campbell - \$792.00)
- d. Curb along Sunrise Avenue at 606 Muir Road, Lot 7 of Block 611 (Eugene J. Casaretto - \$664.00)
- e. Curb and sidewalk along Sunrise Avenue at 703 Burke Avenue, a portion of Block 634. (Reid C. Cochran - \$2,210.00)
- f. Sidewalk at 125 Griswold Avenue, Lot 3 of Block 727. (DeKleva, Chenault and Campbell - \$509.00)
- g. Sidewalk along Griswold Avenue at 319 Griswold Avenue, Lots 18-21 of Block 725. (Dan E. Fleming - \$353.00)

- h. Curb and sidewalk along Sunrise Avenue at 820 Sunrise Avenue, Lot 1 of Block 631. (French and French - \$1,835.00)
- i. Curb along Sunrise Avenue at 830 Muir Road, Lot 8 of Block 639. (Joseph Fried - \$680.00)
- j. Curb along Sunrise Avenue at 700 Muir Road, Lot 4 of Block 611. (Helen V. Garrick - \$680.00)
- k. Curb and sidewalk at 1932 Evergreen Avenue, a portion of Block 6272. (Hardin, Hayes and Toler - \$3,699.00)
- l. Sidewalk along Sunrise Avenue at 701 Annabelle Avenue, Lot 29 of Block 635. (Alex Klabanos - \$710.00)
- m. Curb along Sunrise Avenue at 826 Muir Road, Lot 9 of Block 639. (Francis J. Massetti - \$528.50)
- n. Curb along Sunrise Avenue at 914 Muir Road, a portion of Block 639. (Brian W. Murray - \$792.00)
- o. Curb along Sunrise Avenue at 834 Muir Road, Lot 7 of Block 639. (Matt M. Parker - \$870.00)
- p. Curb and sidewalk along Evergreen Avenue at 1533 Grape Avenue, Lot 1 of Block 6107. (Marshall V. Perry - \$1,692.00)
- q. Curb at 1015 Sunrise Avenue, Lot 1 of Block 640. (Samuel S. Stewart - \$1,956.50)
- r. Curb and sidewalk along Sunrise Avenue at 613 Auburn Street, Lot 4 of Block 610. (Samuel P. Saletta - \$738.00)
- s. Curb at 1305 Fiori Avenue, a portion of Block 1138. (Carl T. Wildermuth - \$740.00)

(Resolution setting public hearing December 9, 1980, 7:30 p.m. needed.)

ACTION: Res. 80-1173 adopted setting hearing.

(Clerk to handle)

REPORTS

- 29. Consider accepting staff report concerning future Graffiti Night activities and further direct staff on future actions to take.
(Report with agenda. Motion accepting report and giving additional direction to staff needed.)

ACTION: By motion (Muratore/Lang, unan., Siefkin absent) Police Chief's recommendations approved. (Police to handle)

30. Consider accepting a report from the Chief of Police concerning a request to barricade Maynell Avenue on Friday and Saturday nights, and to further direct staff whether or not to have barricades put in place.
(Report with agenda. Motion accepting report and giving additional direction to staff needed.)

ACTION: By motion (Lang/Bright, majority, Elliott, Kullijian-no, Siefkin absent) approval given to close Maynell on Friday and Saturday nights. (Police to handle)

31. Report on possible expansion of parking ban on McHenry Avenue.
(Memo with agenda. This matter was raised at an earlier Council meeting. Extension of 10 PM - 5 AM parking prohibition is recommended. At the present time it covers the area from Needham to Orangeburg. An extension to Briggsmore is recommended. Motion acknowledging receipt of the report and directing staff needed. Estimated cost: \$600; funds are budgeted.)

ACTION: By motion (Kullijian/Bright, unan., Siefkin absent) approval given to extending parking prohibition between 10:00 p.m. and 5:00 a.m. from Orangeburg to Briggsmore on McHenry Avenue. (P.T. to handle)

APPROPRIATION TRANSFERS

CONSENT

32. Consider request for appropriation transfer in the amount of \$5,000 from contingency reserves to I Street Improvement account.
(Change orders on the existing contract are necessary to install additional needed drainage and an additional layer of blocks on the planters. Memo with agenda. Resolution approving funds transfer needed.)

ACTION: Res. 80-1174 adopted approving funds transfer. (Finance)

MISCELLANEOUS

33. Legislation

None

34. Appointments

None

35. Matters too late for the agenda

ACTION: The City Manager announced the Eye Street median ribbon cutting will not be held on November 20, as originally planned.

Adjourned at 11:10 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 18, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Cliff Sexton, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21

ACTION: (Muratore/Elliott, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the November 12, 1980, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

2. Letter from Bonnie Moffitt concerning availability of drug paraphernalia.
No action taken at this time.

3. Letter from Joseph M. Good, Executive Vice President of the Modesto Chamber of Commerce, concerning a revised Tourism Budget.

ACTION: By motion (Elliott/Muratore, unan.) revised budget approved. (Finance to handle)

- 3A. Request by the Bacon Bowl Committee for permission to hold a parade and rally in front of the Courthouse on Friday, December 5, 1980.

ACTION: Request withdrawn by Bacon Bowl Committee.

BIDS

CONSENT

4. Consider approving specifications and authorize call for bids to be opened December 16, 1980, at 2:20, for furnishing fourteen (14) general government mobile radios.
(Thirteen mobile radios have been requested by the Public Works Department and will be placed into packer trucks and street sweepers thus broadening the Public Works radio network and reducing vehicle travel. One mobile radio has been requested by the Parks and Recreation Department and will be placed into a lead worker's truck located at the Tuolumne River Regional Park. Resolution authorizing call for bids needed. Estimated Cost: \$17,444. Funds are budgeted.)

ACTION: Res. 80-1175 adopted authorizing call for bids. (Finance to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for construction of curb and gutter on Briggsmore Avenue from McHenry Avenue to Sunrise Avenue. (This project is part of the Briggsmore Avenue landscaping project. Suggested bid opening: December 9, 1980 at 11:05 a.m. Funds are budgeted. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$44,600 (Const. \$39,600; Eng. & Cont. \$5,000). Funds are budgeted.)

ACTION: Res. 80-1176 adopted calling for bids. (P.W. to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for street light modernization on 11th Street.
(The existing street lighting on 11th Street is old and should be replaced. Suggested bid opening is December 9, 1980 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$29,000 (Constr. \$26,000; Eng. \$3,000). Funds are budgeted.)

ACTION: Res. 80-1177 adopted calling for bids. (P.W. to handle)

CONSENT

7. Consider declaring Cherne Industries, Inc. low bidder and authorize the purchase of one closed-circuit television truck from the firm for the total price of \$47,505.
(Memorandum with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 80-1178 adopted awarding contract. (Finance to handle)

CONSENT

8. Consider acceptance of Thomas Masonry's contract for masonry wall at Fire Station No. 6 as complete. (Original contract: \$11,603)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$11,603. Funds are budgeted.)

ACTION: Res. 80-1179 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider Howell & Schmidt's request for substitution of a subcontractor on their project for construction of Fire Station No. 7.
(Section 4107 and following of the Government Code provides for substitution of subcontractors on a project when approved by the awarding authority. Since the subcontractor does not object, it is in order to approve the substitution. Memo with agenda. Resolution approving substitution of a subcontractor needed.)

ACTION: Res. 80-1180 adopted approving substitution of a subcontractor. (P.W. to handle)

HEARINGS

10. Continued hearing on request by Jess Marchant, No. 1
Turlock Carton Press, for a license to collect
salvageable waste.
(Continued from October 23, 1980, adjourned regular meeting.)

ACTION: Res. 80-1181 adopted (Muratore/Lang, unan.) denying application. (P.W. to handle)

11. Hearing on appeal by Bernard D. Enarson II to a decision No. 2
of the Board of Zoning Adjustment regarding a variance to
allow a decorative wall at 2432 Pamela Lane.

ACTION: Res. 80-1182 adopted (Kullijian/Elliott, majority, Siefkin-no) upholding
the appeal. (P.W. to handle)

12. Hearing on amendment to Section 25-3-9 of the Zoning No. 3
Map to rezone from R-3 to H-1, and Section 36-3-9 of
the Zoning Map to rezone from M-2 to H-1, property
located on the north side of Yosemite Boulevard
opposite Mariposa Road.
(Horn Construction)

ACTION: By motion (Muratore/Kullijian, majority, Siefkin-no) Ord. No. 1995-C.S. introduced
rezoning.

Res. 80-1183 adopted (same vote) certifying review of environmental assessment.
(Clerk/Planning to handle)

Councilmember Siefkin excused from the meeting at 5:30 p.m.

13. Hearing on amendment to P-D(178) to allow conversion of existing apartments to residential condominiums, property located on Standiford west of McHenry Avenue.
(Norman Winsor)

No. 4

ACTION: By motion (Lang/Kullijian, unan., Siefkin absent) Ord. No. 1996-C.S. introduced amending P-D(178).
Res. 80-1184 adopted (same vote) amending plan. (Clerk/Planning to handle)

14. Matters for the good of the community.
(These may be presented by interested persons in the audience.)
Junior Busby discussed the bus service.

NEW BUSINESS

15. Consider adoption of City of Modesto Recognition/Awards Program.
(Memorandum with agenda. Motion directing staff needed. If approved, resolution approving appropriation transfer needed. Estimated cost: \$2,000.)
ACTION: By motion (Bright/Kullijian, unan., Siefkin absent) recommended program approved.
Res. 80-1185 adopted approving appropriation transfer. (Finance to handle)

CONSENT

16. Consider resolution confirming canvass of votes on 15 Modesto Charter amendment measures on the November 4, 1980, ballot.
(Memo with agenda. Resolution confirming canvass needed.)

ACTION; Res. 80-1186 adopted confirming canvass of votes. (Clerk to handle)

CONSENT

17. Consider request by garbage companies for rate adjustment in garbage service charges.
(The council Committee and staff have been reviewing garbage companies' financial data and negotiating with garbage companies concerning revised policy for rate setting and for adjustment in garbage service charges. The report will be ready for Council consideration at its December 2 meeting. It is necessary to set a public hearing for this matter, and it is recommended that a hearing be scheduled for December 2, 1980, at 4:00 p.m. Resolution setting hearing hearing on Tuesday, December 2, 1980, at 4:00 p.m. needed.)

ACTION; Res. 80-1187 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider approval of agreement with the U.S. Geological Survey to provide computer and staff time in conjunction with ground-water hydrology study. (Ground water model for the Modesto area has now been completed by U.S.G.S. This funding provides for applying the ground-water model to several water management plans. Total cost of the work is \$15,000, with the City funding \$7,500. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 80-1188 adopted approving agreement.

(P.W. to handle)

CONSENT

19. Consider approving lease agreement with Kias A. Williams and Gwendolee Williams on two lots that the City of Ceres, the City of Modesto and the County of Stanislaus purchased for Tuolumne River Regional Park. (The City of Modesto is authorized by the terms of the TRRP agreement to lease property for periods of less than 13 months. The subject lease is for one year and calls for a rent of \$1 with the Williams maintaining the lots and paying taxes. The lots have very limited appeal and must be maintained by the City. Therefore, the lease will save money. Resolution approving agreement needed.)

ACTION: Res. 80-1189 adopted approving agreement.

(P.W. to handle)

CONSENT

20. Consider acceptance of improvements in Valencia Plaza subdivision as complete and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Joaquin Construction Co.) (Valencia Plaza subdivision is located north of Penny Lane between Capistrano Drive and Lincoln Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-1190 adopted accepting improvements as complete.

(Clerk to handle)

REPORTS

CONSENT

21. Presentation of Financial Statement for October, 1980. (Copies of the report will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

22. Legislation

None

23. Appointments

None

24. Matters too late for the agenda

None

Adjourned at 6:05 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION-AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 25, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang,
Siefkin, Mayor Mensinger

Absent: Councilmembers Kullijian, Muratore

Pledge of allegiance to the Flag

Invocation: Rev. C.L. Stover, College Avenue Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17,
18, 19, 20, 21, 22, 23, 24, 25, 26, 27,
Removed from Consent: 30 28, 32, 33, 34

ACTION: (Lang/Bright, unan., Kullijian and Muratore absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the November 18, 1980, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

2. Letter from Cesar Mendoza, Area Director of Community Crusade Against Drugs, concerning the "Listen - Community Crusade Against Drugs School Program."

No action taken.

CONSENT

3. Letter from Downtown Improvement District requesting permission to hold a sidewalk sale on Sunday, November 30, 1980, in Old Town Modesto.
(Motion approving request needed.)

ACTION: By motion, request approved.

(Planning to handle)

CONSENT

4. Consider approving specifications and authorizing call for bids to be opened December 23, 1980, at 2:00 p.m. for furnishing one lawn sweeper. (Requested by the Public Works Service Division, the lawn sweeper will be permanently dispatched to the Parks and Recreation Golf Course Division. The equipment will be used primarily to sweep leaves from the fairways and will replace a similar unit presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$5,600. Funds are budgeted.)

ACTION: Res. 80-1191 adopted approving specifications and authorizing call for bids. (Finance to handle)

CONSENT

5. Consider approval of specification and authorize the call for bids for furnishing athletic and recreational equipment to be opened on December 16, 1980, at 2:00 p.m. (The materials are required for the Parks and Recreation Department's after-school, adult, and summer recreational programs. Resolution approving specifications and authorizing the call for bids needed. Estimated Cost: \$10,000. Funds are budgeted.)

ACTION: Res. 80-1192 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider authorizing the purchase of two six inch compound water meters from Hersey Products, Inc. for the total purchase price of \$7,740.12. (Memorandum with agenda. Resolution waiving formal bids and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-1193 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

7. Consider acceptance of Lee White Paving Company's contract for improvement of Carpenter Road and California Avenue as complete. (Original contract: \$14,656) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$16,325.90. Funds are budgeted.)

ACTION: Res. 80-1194 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of Fries Landscape Company's contract for Briggsmore/Rose Landscaping and Irrigation as complete. (Original contract: \$18,500) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$18,525. Funds are budgeted.)

ACTION: Res. 80-1195 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of The Flintkote Company's contract for heater remix and resurface 1980 as complete. (Original Contract: \$129,470.50)
(Memo with agenda. All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final Cost: \$140,055.05. Funds are budgeted.)

ACTION: Res. 80-1196 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Authorize purchase of materials and services to install an automated slide gate at the Service Yard main entrance.
(An automatic gate will provide better security. Three informal bids were received. The low bid of \$4,988, submitted by Morgan Electronics, Inc. is acceptable. It is therefore, recommended that they be awarded the contract to supply materials and service to install an automated gate at the Service Yard. Resolution authorizing purchase of materials and services to install an automated slide gate from Morgan Electronics, Inc. needed. Funds are budgeted.)

ACTION: Res. 80-1197 adopted authorizing purchase. (Finance to handle)

HEARINGS

11. Hearing on amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D(284) to allow conversion of 19 existing apartments to condominiums, property located on the south side of Sylvan, east of Keller. (Modesto Development) No. 1

ACTION: By motion (Lang/Siefkin, unan., Kullijian, Muratore absent) Ord. No. 1997-C.S. introduced.

Res. 80-1198 adopted (same vote) approving development plan. (Clerk to handle)

12. Hearing on amendment to Section 12-3-8 of the Zoning Map to rezone from P-0 to P-D, to allow construction of a professional office complex including freestanding banks, savings and loan associations or other financial institutions on the east side of Dale Road, north of Veneman. (J.C. Properties) No. 2

ACTION: By motion (Elliott/Bright, unan., Kullijian, Muratore absent) Ord. No. 1998-C.S. introduced.

Res. 80-1199 adopted (same vote) approving plan.

Res. 80-1200 adopted (same vote) certifying review of Environmental Impact Report.
(Clerk/Planning to handle)

13. Hearing on appeal by Mid-Valley Engineering regarding a parcel map, Briggsmore and Coffee Roads.

No. 3

ACTION: Res. 80-1201 adopted granting appeal (Siefkin/Bright, majority, Elliott-no, Kullijian, Muratore absent)
(Clerk to handle)

14. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

15. Final adoption of Ord. No. 1995-C.S. rezoning from R-3 and M-2 to H-1 property located on the north side of Yosemite Boulevard opposite Mariposa Road (Horn Construction Co.).
(Motion adopting needed.)

ACTION: By motion (Lang/Bright, majority, Siefkin-no, Kullijian, Muratore absent)
Ord. No. 1995-C.S. adopted. (Clerk to handle)

CONSENT

16. Final adoption of Ord. No. 1996-C.S. amending P-D(178) to allow conversion to condominiums property located on Standiford Avenue west of McHenry (Norman Winsor).
(Motion adopting needed.)

ACTION: By motion (Clerk to handle)
Ord. No. 1996-C.S. adopted.

CONSENT

17. Final adoption of Ord. No. 1989-C.S. rezoning from R-2 to P-D(278) property on the south side of Princewood Lane and Sylvan Avenue and east side of Kingswood to allow conversion to condominiums (Rule Enterprises).
(Memo with agenda. Motion adopting needed.)

ACTION: By motion (Clerk to handle)
Ord. No. 1989-C.S. adopted.

CONSENT

18. Consider changing speed limits on several streets.
(Memo with agenda. The changes update speed limits outdated by improvement projects and add several new limits. Introduction of ordinance amending Municipal Code Sections 3-2.1401 and 3-2.1401.1 needed. Estimated cost: \$600; funds are budgeted.)

ACTION: By motion, Ord. No. 1999-C.S. introduced. (Clerk to handle)

NEW BUSINESS

CONSENT

19. Consider agreement with State of California for a Career Criminal Apprehension Program (CCAP) grant.
(The City of Modesto Police Department has qualified for funding from the State Office of Criminal Justice Planning to operate a Career Criminal Apprehension Program for the second year. Memo with agenda. Resolution approving agreements needed.)

ACTION: Res. 80-1202 adopted approving agreement. (Police to handle)

CONSENT

20. Consider request for designating some of the parking spaces on the Library parking lot for 2-hour parking.
(Memo with agenda. It is recommended that authority be granted to designate a 2-hour time-limit on some of the parking spaces as demand indicates need for them. Resolution rescinding Resolution 80-961 and adopting a new resolution with the same provisions as 80-916 and adding the Library lot as a free parking lot and limiting parking to 2 hours in designated areas. Estimated cost: \$80; funds are budgeted.)

ACTION: Res. 80-1203 adopted rescinding Res. No. 80-961 and adding provisions.
(P.T. to handle)

CONSENT

21. Consider joining in an amicus curiae brief in the case of City of Huntington Park v. Wood.
(Memo with agenda. Motion authorizing joining in amicus curiae brief needed.)

ACTION: By motion, authorized to join amicus curiae brief. (Atty. to handle)

CONSENT

22. A resolution ordering an advisory measure to be submitted to the voters at the regular municipal election to be held in the City of Modesto on March 3, 1981. (At the Council meeting on November 12, 1980, the Council determined it wanted to have an advisory election for the extension of the Lakewood trunk sewer line. A copy of the proposed resolution is submitted with the agenda. Adoption of a resolution needed.)

ACTION: Res. 80-1204 adopted ordering advisory measure to be submitted to the voters.
(Clerk to handle)

CONSENT

23. Council appointments to the Voluntary and Mandatory Deferred Compensation Committees. (Memo with agenda. Two resolutions appointing new members to the two committees needed.)

ACTION: Res. 80-1205 adopted appointing Bill Nichols to the Voluntary Deferred Compensation Committee.
Res. 80-1206 adopted appointing Walter Thedford to the Mandatory Deferred Compensation Committee

CONSENT

24. Consider authorization for City Manager to sign agreement with P.G. & E. for gas service to Fire Station No. 7. (Gas service is required for domestic and standby power generator uses. Resolution approving agreement needed. Estimated cost: \$338; funds are budgeted.)

ACTION: Res. 80-1207 adopted approving agreement. (P.W. to handle)

CONSENT

25. Consider approval of the final map and acceptance of the improvements in Martin Manor No. 2 subdivision of the City of Modesto. Subdividers: Jesse & Lula Martin. (All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. A subdivision agreement is not needed as the improvements are completed. Martin Manor No. 2 is located between Laurel Avenue and M.I.D. Lateral No. 4 east of Emerald Avenue. Resolution approving final map and accepting the improvements needed.)

ACTION: Res. 80-1208 adopted accepting final map and improvements. (Clerk to handle)

CONSENT

26. Consider request for sewer service to property outside City limits at 1726 Eureka Street, located on the east side of Eureka Street between Colusa Avenue and Butte Avenue. Owners: L. E. and Nina V. Lewis. (The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits. A line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-1209 adopted approving agreement. (P.W. to handle)

CONSENT

27. Consider request for sewer and water service to property outside City limits at 1722 Eureka Street, located on the east side of Eureka Street, between Colusa Avenue and Butte Avenue. Owners: L. E. & Nina V. Lewis. (The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits. Sewer and water lines exist to serve property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 80-1210 adopted approving agreement. (P.W. to handle)

CONSENT

28. Consider approval to proceed with construction of improvements required at the southeast corner of La Loma and Santa Barbara Avenues. (Formal request was sent to the property owners over thirty days ago. As work has not yet been done, it is recommended that a resolution be adopted instructing the Director of Public Works to proceed with the improvement installation. Memo with agenda. Resolution authorizing the Director of Public Works to complete the work needed.)

ACTION: Res. 80-1211 adopted authorizing Director of Public Works to complete the work. (P.W. to handle)

29. Consider whether candidates for the Modesto City Council and the Board of Education of the Modesto City Schools and High School Districts will be required to pay their pro rata share of the cost of their "Candidate's Statement" for the March 3, 1981, election. (Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Siefkin/Lang, unan., Kullijian, Muratore absent) it was determined that the City would carry the cost of printing candidate's statements in the voter pamphlets. (Clerk to handle)

30. Consider approval of agreement with Diametrics for the installation of a Cost/Revenue Impact System (CRIS) for the City of Modesto. (Report with agenda. Resolution approving agreement and resolution approving appropriation transfer needed. Estimated cost: \$16,750.)

ACTION: By motion (Lang/Elliott, unan., Kullijian, Muratore absent) a decision was delayed 30 days at the request of the Chamber of Commerce. (Finance to handle)

REPORTS

31. Report on implementation of an ordinance requiring item pricing when computer scanners are used. (Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Lang/Bright, unan., Kullijian, Muratore absent) receipt of report acknowledged.

CONSENT

32. Notice of PGandE request for a solar financing rate increase.
(Memo with agenda. Increase would be \$22.4 million spread over 3 years.
Program was ordered by PUC. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

33. Notice of PGandE application for a gas rate increase.
(Memo with agenda. The application would represent an 8.7% average increase and amount to \$292.7 millions/year. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

APPROPRIATION TRANSFERS

CONSENT

34. Consider approval of an appropriation transfer to reinstate grant financed 1979-80 appropriations which were not carried forward.
(The unencumbered appropriations for the purchase of 4 patrol cars and mobile radios were not carried over. Grant revenue (under the Driving Under the Influence Program) is available to cover these costs and will be established as an estimate in the 1980-81 budget as part of the mid-year budget adjustment process. Resolution approving appropriation transfer needed.)

ACTION: Res. 80-1212 adopted approving appropriation transfer. (Finance to handle)

MISCELLANEOUS

35. Legislation

None

36. Appointments

None

37. Matters too late for the agenda

Councilmember Elliott requested information concerning the parking of County cars used by CETA employees at the airport. (Mgr. to handle)

Adjourned at 10:25 p.m.

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 2, 1980 AT 4:00 P.M.

**Roll Call - Present: Councilmembers Kullijian, Lang,
Siefkin, Mayor Mensinger**

Absent: Councilmembers Bright, Elliott, Muratore

Pledge of allegiance to the Flag

**CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2A, 3, 4, 5, 8, 9, 10, 11, 13,
14, 15, 16, 17, 18**

ACTION: (Siefkin/Lang, unan.; Bright, Elliott and Muratore absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

- 1. Approval of the minutes of the November 25, 1980, regular City Council meeting.
(Motion approving needed.)**

ACTION: By motion, minutes approved.

COMMUNICATIONS

- 2. Petition from residents of Friendly Village Mobile Home Park concerning rent control.**

**ACTION: Res. 80-1213 adopted (Siefkin/Lang, unan.; Bright, Elliott and Muratore absent)
setting hearing on January 6, 1981, 4:00 p.m. (Clerk to handle)**

**By motion (same vote) the Mayor was directed to write to the owner of Friendly Village Mobile Home Park about the problems expressed by the residents.
(Mgr. to handle)**

CONSENT

- 2A. Appeal by Delta Blood Bank to a decision of the Environmental Assessment Committee regarding a blood bank facility on the corner of Orangeburg and Melrose Streets.
(Resolution setting hearing December 16, 1980, 4:00 p.m. needed.)**

ACTION: Res. 80-1214 adopted setting hearing. (Clerk to handle)

CONSENT

3. Consider acceptance of Valley Slurry Seal Company's contract for heater remix and slurry seal 1980-81 as complete. (Original contract: \$97,751.98)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete. Final Cost: \$96,962.58. Funds are budgeted.)

ACTION: Res. 80-1215 adopted accepting work as complete. (Clerk to handle)

CONSENT

4. Consider acceptance of George Reed, Inc.'s contract for General Aviation Area Access Road FAA-ADAP #6-06-0153-07 as complete. (Original contract: \$74,146)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$90,184.73. Funds are budgeted.)

ACTION: Res. 80-1216 adopted accepting work as complete. (Clerk to handle)

CONSENT

5. Consider approving specifications and authorizing the call for bids to be opened on December 23, 1980, at 2:30 p.m. for furnishing plastic can liners.
(These plastic can liners will be used by the Parks and Recreation Department for garbage pickup throughout the various park locations. The liners are being used to eliminate the need to handle 55 gallon barrels, thus reducing the risk of injury to employees. One Resolution approving specifications and authorizing the call for bids to be opened on December 23, 1980, at 2:30 p.m. needed. Estimated Cost: \$8,350. Funds are budgeted.)

ACTION: Res. 80-1217 adopted calling for bids. (Finance to handle)

HEARINGS

6. Hearing on request by garbage companies for rate adjustment No. 1
in garbage service charges.

ACTION: By motion (Lang/Kullijian, unan.; Bright, Elliott, Muratore absent) hearing continued to December 16, 1980, 4:00 p.m. (Clerk to handle)

7. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

Joy Sylvester spoke about the problems of people over 42 getting jobs in Modesto.

Representatives of the Modesto Junior Chamber of Commerce requested Police assistance and free use of Graceada Park for a fund raising function.

ACTION: By motion (Lang/Siefkin, unan., Bright, Elliott, Muratore absent) free use of the park for beginning and ending the run with the usual \$10 fee required if Mancini Bowl is used. (P.R. to handle)
The route was referred to staff to determine what is possible concerning the route to be used. (Mgr./Police to handle)

ORDINANCES

CONSENT

8. Consider amending Modesto Municipal Code Section 2-2.04 to conform the wording to the amendment to City Charter Section 716 relating to the time and manner of publication of ordinances.

(The amendments to the City Charter approved by the voters on November 4, 1980, became effective on November 20, 1980. This amendment to the Municipal Code regarding the time and manner of publication of ordinances will conform the Municipal Code provisions to the City Charter, as amended. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2000-C.S. introduced. (Clerk to handle)

CONSENT

9. Consider adding a section to the Modesto Municipal Code which would make it unlawful for any person to obstruct, or interfere with City of Modesto Animal Control Officers when they are carrying out their duties.
(Memorandum with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2001-C.S. introduced. (Clerk to handle)

NEW BUSINESS

CONSENT

10. Consider approving agreement with Guarantee Savings & Loan Association for the purchase of 7.03± acres of land needed for the Orchard Neighborhood Park Site. This is one of two parcels required for the 10-acre park site. The other parcel has already been acquired.

(Guarantee Savings and Loan has agreed to sell the required property for the appraised value of \$351,500 plus \$61,553.75, which is the City share of future subdivision improvements common to City's park and Grantor's adjoining land. Also, the City is agreeing to put in its half of the streets common to both parties within 15 months after Grantor files its subdivision map. Resolution approving agreement needed. Estimated total cost: \$417,053.75 (\$413,053.75 Cost; \$4,000.00 Est. Escrow); funds are budgeted.)

ACTION: Res. 80-1218 adopted approving agreement. (P.W. to handle)

CONSENT

11. Recommend to Council an amendment to Section 7-3-9 of the Zoning Map - David Earnshaw.

(On November 17, 1980, the Planning Commission adopted Resolution 80-287 recommending to the Council an amendment to Section 7-3-9 of the Zoning Map to rezone from R-2 to P-D(288) property located on San Clemente Avenue, Cheyenne Way, Doheny Way, Shell Court, and Agate Drive to allow condominium conversion. Resolution setting public hearing January 6, 1981, at 4:00 p.m. needed.)

ACTION: Res. 80-1219 adopted setting hearing. (Clerk to handle)

CONSENT

13. Consider Hatch Road No. 1 Governmental Reorganization to the City of Modesto. (On October 22, 1980, LAFCO approved this uninhabited annexation which was initiated by a petition of property owners. The governmental reorganization would include annexation to the City, detachment from the Industrial Fire Protection District, and annexation to the to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. LAFCO also required that the governmental reorganization include Bret Harte School, the Red Shield Center and Bret Hart Park. This annexation includes property presently under Williamson Act Contract. The City Council has protested this contract (Res. No. 77-1147). Resolution ordering the Hatch Road No. 1 Governmental Reorganization to the City of Modesto and certifying review of environmental impact, and resolution electing not to succeed to the Williamson Act contract. needed.) .

ACTION: Res. 80-1220 adopted ordering the Governmental Reorganization.

Res. 80-1221 adopted electing not to succeed to the Williamson Act contract.
(Clerk/Planning to handle)

CONSENT

14. Consider amending Red Top Taxi agreement for supplemental Dial-A-Ride transportation services.
(Memo with agenda. The amendment would extend Red Top Taxi services to all hours of Dial-A-Ride operation. Red Top currently provides such services from 7 PM to Midnight on a Monday through Friday basis. Resolution approving amended agreement needed. Estimated cost: \$1,500; funds are budgeted.)

ACTION: Res. 80-1222 adopted approving amended agreement. (P.T. to handle)

CONSENT

15. Report of Superintendent of Streets on the cost of alley resurfacing at the following locations:
(The dollar amounts listed reflects the contract cost for the placement of the asphalt and the raising of manholes or lampholes. The cost of clearing, grading and sterilizing of the alleys was paid for by the City. Resolution setting hearing December 23, 1980, at 7:30 p.m. needed. Funds are budgeted.)

ACTION: Res. 80-1223 adopted setting hearing. (Clerk to handle)

<u>NAME</u>	<u>LOT</u>	<u>AMOUNT</u>
John C. Holzheimer	17 & 18	\$169.39
Ahmed A. Machmali	19 & Por. 20	\$127.04
James R. Melson	21 & Por. 20	\$127.04
Lola Melson	22 & 23	\$169.39
Raymond J. Salomon	24 & 25	\$169.39
Wanda V. Melson	26 & 27	\$169.39
Thelma Turren	28, 29 & Por. 30	\$203.27
Silas Green	31, 32 & Por. 30	\$220.21
Leroy F. Scott	14-16 & Por. 13	\$304.91
Silas W. Green	12 & Por. 13	\$152.45
Freda Salmuels	10 & 11	\$169.39
Allen B. Waters	8 & 9	\$169.39
Florencio Santos	6 & 7	\$169.39
Reyes F. Rangel	4 & 5	\$169.39
Leopold Prescott	1, 2 & 3	\$254.09

BLOCK 233 LaSombra - LaLoma/Bonita - Las Flores

Lucienne Frad	1	\$279.92
Melvin A. Taylor	2	\$279.92
Francis M. Christiansen	3	\$235.13
James R. Abbey	4	\$235.13
Leah H. Wieland	5	\$235.13
Frank M. Wilson	6	\$404.88
Pauline P. Stanley	7 & 8	\$757.69
F.L. Richt	9	\$240.43
Sam Neesan	10	\$261.26
Cecil E. Kilroy	11	\$261.26

BLOCK 305 Calaveras Ave. - 7th St./Sierra Dr. - Tuolumne Blvd.

Wille Electric Supply Co., Inc.	1-6 & 39-42	\$484.76
Collins Electrical Co., Inc.	28-38	\$359.08
Pentecostal Church	24-27	\$326.44
United Pentecostal Church	22-23	\$522.30
Stanley J. Daisby	20 & 21	\$179.54
Bernaldino R. Alvarado	18 & 19	\$163.22
Harley C. Winter	16 & 17	\$163.22
Robert S. Jones	14 & 15	\$163.22
Randy W. Lambert	12 & 13	\$187.70
John P. Mineni	7, 8 & 9	\$440.69

BLOCK 311 Madera Ave. - Merced Ave./Sierra Dr. - Center St.

Lazaro Salcedo	38 & 39	\$187.70
Calvin D. Stump	36 & 37	\$163.22
Amparo Jaime	34 & 35	\$163.22
Clara Witt	32 & 33	\$163.22
Owen Jensen	30 & 31	\$163.22
Gilbert J. Silva	28 & 29	\$163.22

Tommy Searls	26 & 27	\$187.70
Robert L. Lotspeich	24 & 25	\$187.70
Richard A. Hoke	22 & 23	\$163.22
Dorothy C. Pozega	20 & 21	\$163.22
Tony Mello	18 & 19	\$163.22
Hazel I. Fuller	16 & 17	\$163.22
Mary L. Pacheco	14 & 15	\$163.22
Mary Mello	12 & 13	\$187.70

BLOCK 350 Yosemite Ave. - Colorado Ave./Tuolumne Blvd. - Western Way

Chapel Owens	11 & 12	\$163.22
Mary Rosa	13 & 14	\$163.22
Karen Anderson	15 & 16	\$163.22
Lucas A. Ayala	17 & 18	\$163.22
Gilbert G. Soto	19 & 20	\$163.22
Betty J. Smith	21 & 22	\$163.22
Dorothy G. Corriea	23 & 24	\$163.22
Hermenejildo Landeros	25 & Por. 26	\$122.41
Steven Sanders	27 & Por. 26	\$131.23
Fransah Benyamino	28 & Por. 29	\$131.23
Nasario Linares	30 & Por. 29	\$122.41
Raymond Caine	31 & 32	\$163.22
Agustin V. Alberto	33 & 34	\$163.22
Christine F. Whaley	35 & 36	\$163.22
Rupert A. Peter	37 & 38	\$163.22
Frances Dunham	39 & 40	\$163.22
Ruth E. Williams	41 & 42	\$163.22
Junior L. Smith	43-44	\$163.22

BLOCK 813 Princeton Ave. - Yale Ave./Mills Ave. - College Ave.

John H. Olson	1 & Por. 2	\$358.35
Johnny R. Lazar	Por. 2 & 3	\$303.06
Doris J. Anderson	4 & Por. 3	\$296.33
Olive M. Shepard	5	\$231.41
Theodor Groene	6	\$222.25
Stanford Cushway	7	\$225.08
Thomas D. Basmajian	11	\$225.08
Fred M. Johnson	12	\$222.25
Albert E. Carrade	13	\$232.15
Elton J. Simmonds	14 & Por. 15	\$313.17
Robert A. Crabb	Por. 15 & 16	\$286.23
Dorothea M. Flournoy	17 & Por. 16	\$353.58

BLOCK 1207 ~~Briggsmore - Coolidge/Lorry Ave. - Morene Way~~

Marguerite N. Van Alfen	7	\$252.11
Dewey L. Stines	6	\$243.20
Lee R. Bayley	5	\$243.20
Victor Brown	4	\$242.28
Bennideen M. Lockhart	11	\$245.42
Carl R. Briscoe	10	\$243.20
Stephen R. Fairchild	9	\$243.20
Michael Damkowitz	8	\$248.97
John E. Shores	3	\$258.90
Thomas V. Baba	2	\$375.40
Ruby Carey	1	\$ 48.97

BLOCK 1206 Briggsmore - Coolidge/Lorry Ave. - Morene Way

Derek J. Larkin	14	\$ 48.97
Daniel M. Swass	13	\$375.40
Paul W. Howard	12	\$258.77

BLOCK 2029 Roble Ave. - LaLoma Ave./Wilson Ave. - Santa Ana Ave.

Albert Autry Jr.	Por. 35	\$228.34
Lester B. Starr	Por. 34 & 35	\$213.23
Bruce Service	Por. 33 & 34	\$213.23
Christine L. Thomason	Por. 32 & 33	\$213.23
Robert E. Lofgren	Por. 31 & 32	\$241.66
Pauline Snowden	Por. 30 & 31	\$195.46
Edmond T. Raper	Por. 29 & 30	\$248.77
Pearle T. Mann	Por. 29	\$177.69
Lawrence E. Bolles	Por. 28 & 29	\$177.69
Doris C. Swasey	Por. 27 & 28	\$212.24
Clinton L. Atwood	Por. 26 & 27	\$213.23
Ralph L. William Jr.	Por. 25 & 26	\$158.47
Buddy R. Collins	Por. 26 & 27	\$316.79
Georgia A. Harkrader	Por. 27 & 28	\$212.24
James E. Stoker	Por. 28 & 29	\$199.02
Leon Glenn	Por. 29 & 30	\$177.69
Philip A. Peterson	Por. 30	\$213.23
Raymond K. Durr	Por. 31	\$234.56
Leroy Deldon	Por. 32 & 33	\$426.46
Erwin E. More	Por. 33 & 34	\$195.46
Willis D. Severe	Por. 34 & 35	\$213.23
Phillip B. Swearingen	Por. 35	\$228.34

BLOCK 2128 Severin Ave. - Camellia Way/Roble Ave. - Haddon Ave.

Herald C. Eaton	1	\$228.66
Marcos I. Santillan	2	\$203.55
Elva R. Snyder	3	\$203.55
Fern B. Silver	4	\$203.55
Warren England	5	\$203.55
Thomas B. Thompson	6	\$203.55
Lola M. Thedford	7	\$196.77
M.B. Crews	8	\$196.77

Mildred L. Hickie	9	\$196.77
Samuel C. Smith	10	\$196.77
Jackie R. Whatley	11	\$196.77
Fannie Rossi	12	\$196.77
Norman G. McCoy	13	\$218.89
Kathryn L. Steele	14	\$218.96
Betty J. Hawkins	15	\$196.77
Gladys E. Mendonca	16	\$196.77
Gladys Walker	17	\$196.77
Bertha I. Howey	18	\$196.77
Albert J. Woods	19	\$196.77
Wilma J. Liles	20	\$196.77
Ronald Setliff	21	\$203.55
Carol W. Everett	22	\$203.55
Gladys C. Maderos	23	\$203.55
Ronald C. Delong	24	\$203.55
James W. Woods, Jr.	25	\$203.55
Harold W. Hinman	26	\$228.56

BLOCK 2129 Encina Ave. - Roble Ave./Camellia Way - Severin Ave.

Thomas O. Millerman	10	\$211.92
Henrietta Prandini	11	\$201.39
Taylor H. Posey	12	\$201.39
Daniel Eikenberry	13	\$201.39
Donald B. Taylor	14	\$201.39
Clair M. Peterson	15 & Por. 16	\$302.08
Theodore J. Kaczka	17 & Por. 16	\$302.08
Anthony Barse	18	\$201.39
Tony R. Tabalon	1	\$201.39
Janet M. Hamilton	2	\$201.39
Scott L. Johnson	3	\$201.39
Jack T. Dickie	4	\$201.39
Thomas J. Woods	5	\$201.39
Gertrude M. Sivills	6	\$201.39
W. Roy Vernor	7	\$201.39
Andy Stankovich	8	\$201.39
Wilson M. Boyd	9	\$211.92

BLOCK 5303 Hillview Dr. - Fair Oaks Dr./Clover Ln. - Meadow Ln.

Carlos A. Vergara	1	\$339.98
James H. Edmondson Jr.	2	\$339.98
Robert P. Green	3	\$339.98
Pete A. Clarot	4	\$339.98
Raymond P. Olsen	5	\$342.07
Fred Varni	6	\$603.91
John E. Thurman	7	\$342.76
Billie R. Poe	8	\$342.76
Kirby C. Seay	9	\$406.77

BLOCK 5323 Los Palos Way/Elm Avenue - Arboleda Dr.

Ralph P. Jessen	1	\$225.80
Theodore H. Wasson	2	\$228.50
W. Mark Moyers	3	\$228.50
James L. Petty	4	\$233.11
Philip E. Humphreys	5	\$256.84
L.A. Baker	6	\$225.24
Ronald Wheelless	7	\$433.83

BLOCK 6022 Oakwood Ave. - Ashwood Ave./Westland Dr. - Del Vale Ave.

Edward A. Borba	1	\$222.42
Johannes C. Nadell	2	\$226.47
Alder Fred Moore	3	\$226.47
Lee R. Heune	4	\$226.47
William G. Mortimer	5	\$226.47
Charles A. Longcor	6	\$226.47
Alfonso Cala	7	\$230.89
Richard Priester	8	\$222.98
Earnest W. Hawley	9	\$226.47
Edward H. Reece	10	\$226.47
Ruth E. Pierce	11	\$226.47
Russell W. Martin	12	\$226.47
Robert L. Davis	13	\$226.47
Lowell W. Coey	14	\$230.44

BLOCK 6707 College Ave. - Monte Carlo/Hawthorne Ave.

Amos Flowers	4	\$228.47
James W. Marshall	5	\$232.85
Robert E. Mowry	6	\$232.85
Harold A. Hansen	7	\$232.85
Jean G. Hanna	8	\$239.18
Clifford F. Smith	9	\$239.39
First United Methodist Church	10	\$243.59
Erick E. Lehfedt	16	\$195.63
Dorothy Koonelias	17	\$197.96
Wendell A. Holmberg	18	\$232.99
Minnie E. Taylor	19	\$246.51
Patricia A. Handler	20	\$267.92
Carol K. Savage	21	\$247.69
Arthur Brohm	22	\$255.48

Robert B. Hernandez	1	\$355.45
Delwin E. Eliason	2	\$360.43
Donald T. Fahey	3	\$252.92
Heinz Purwins	4	\$250.65
Arland H. Merchant	5	\$281.14
Melvin M. Gabelhaus	6	\$282.01
Delbert B. Main	7	\$280.90
Juan G. Morales	8	\$282.15
Austin E. Fuller	9	\$318.33
George E. Thiel	10	\$250.82
Robert L. Leach	11	\$253.55
John W. Bennett	12	\$253.48
August J. Duchala Jr.	13	\$253.51
Loren V. Becker	14	\$253.51
Roger W. Ebright	15	\$253.48
Steve D. Sutter	16	\$253.96
Ann W. Adams	17	\$232.37

BLOCK 12953 Windsor Ln. - Rumble Rd./Windsor Ln. - Hampshire Ln.

Jess W. Ayres	6	\$354.70
Charles E. Kilgore	7	\$290.86
Charles M. Comstock.	8	\$273.12
Ray W. Irwin	9	\$273.12
Glenna Arnett	10	\$273.12
John E. Corrin	11	\$273.12
Joseph F. Benson	12	\$273.12
Larry L. Zabel	13	\$297.45
Samuel Roberts	14	\$354.77
Elizabeth Zakarian	19	\$390.17
Paul L. Martelli	20	\$711.00

CONSENT

16. Amendment of the Annual Local Transportation Claim for Transit to claim \$509,364 of State Transit Assistance Funds.
(Memo with agenda. Resolution approving filing of amended LTF Claim for Transit needed.)

ACTION: Res. 80-1224 adopted approving filing of amended LTF Claim for Transit.
(Finance to handle)

CONSENT

17. Consider approving agreement between Modesto City School District and Modesto High School District and the City of Modesto, providing for the waiver of facility use fees.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 80-1225 adopted approving agreement. (P.R. to handle)

CONSENT

18. Abandonment of alley located adjacent to T. B. Scott Park.
(Memo with agenda. Motion referring to Planning Commission needed.)

ACTION: By motion, recommended abandonment referred to Planning Commission.
(Planning to handle)

MISCELLANEOUS

19. Legislation

None

20. Appointments

ACTION: Res. 80-1226 adopted (Kullijian/Siefkin, unan., Bright, Elliott, Muratore absent) Margaret Cooper and Thomas Lawyson were appointed to the Modesto Youth Commission, representing Modesto Christian High School, terms expiring 6/1/81 and 12/1/81 respectively.

21. Matters too late for the agenda

None

Adjourned at 5:45 p.m. to Friday, December 5, 1980, 8:00 a.m., at Hobo Joe's Restaurant, 1525 McHenry Avenue, Modesto, for a meeting with Congressman Tony Coelho.

ATTEST:



NORRINE COYLE, City Clerk

Adjourned Special Meeting
Modesto City Council
December 5, 1980

The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m., at Hobo Joe's Restaurant, 1525 McHenry Avenue, Modesto, California.

Present: Councilmembers Lang, Muratore, Siefkin,
Mayor Mensinger

Absent: Councilmembers Bright, Elliott, Kullijian

Also Present: Congressman Tony Coelho and Brent Campbell

There was a general discussion of matters concerning Federal laws and regulations.

The meeting adjourned at 9:30 a.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 9, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Kullijian, Lang, Muratore,
Acting Mayor Siefkin

Absent: Councilmembers Elliott, Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Leon Planter, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 15, 16, 17,
18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28

ACTION: Lang/Muratore, unan., Elliott and Mayor Mensinger absent.

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the December 2, 1980, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

CONSENT

2. Request by Robert L. Erickson that the Code Section concerning "Family Amusement Machine Center" be amended to include roller rinks.
(Motion referring to staff for recommendation needed.)

ACTION: By motion, referred to staff

(Planning to handle)

CONSENT

3. Petition from residents in the Pearl Street/Glenwood Avenue area requesting that a walkway be closed.
(Motion referring to Planning Commission needed.)

ACTION: By motion, referred to Planning Commission.

(Planning to handle)

BIDS

CONSENT

4. Consider approving specifications and authorize call for bids to be opened January 6, 1981, at 2:00 p.m. for furnishing two diesel tractors. (Requested by the Public Works Service Division, the tractors will be primarily used by the Parks and Recreation Department to maintain parks. The equipment will replace two similar tractors presently in service. Resolution authorizing call for bids needed. Estimated Cost: \$16,120 and \$14,670. Funds are budgeted.)

ACTION: Res. 80-1227 adopted authorizing call for bids. (Finance to handle)

CONSENT

5. Consider award of the contract for Block 225 - Beard Brook Park parking area - Children's Park. (Bids were opened November 25, 1980, and the low bid of \$16,360.80 submitted by Lee White Paving Co., is 14% below the engineer's estimate and is considered acceptable. Resolution awarding contract to Lee White Paving Co. needed. Estimated Cost: \$19,260.80 (Contr. \$16,360.80; Eng. & Contg. \$2,900). Funds are budgeted.)

ACTION: Res. 80-1228 adopted awarding bid. (P.W. to handle)

CONSENT

6. Consider acceptance of Rain-Scape's contract for Rose-Davis-Downey parking lots landscaping and irrigation as complete. (Original contract: \$13,950) (All work on this project has been completed to the satisfaction of the Parks and Recreation and Public Works Departments. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$14,770. Funds are budgeted.)

ACTION: Res. 80-1229 adopted accepting work as complete. (Clerk to handle)

CONSENT

7. Consider acceptance of CDR Construction's contract for renovation of Pump Station No. 6 as complete. (Original contract: \$97,243) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$101,021. Funds are budgeted.)

ACTION: Res. 80-1230 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider waiving formal bid procedure and authorize the purchase of traffic signal parts from Econolite Corporation, a sole source of these parts, for a total price of \$7,112.38. (Memorandum with agenda. Resolution waiving formal bid procedure and authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 80-1231 adopted waiving formal bid procedure. (Finance to handle)

HEARINGS

9a. Hearing on appeal by Fred G. Bubeck on decision of the Planning Commission concerning individual television antennas in Modesto Verde mobilehome park.

No. 1

ACTION: Res. 80-1232 adopted (Kullijian/Muratore, unan., Elliott and Mayor Mensinger absent) denying appeal. (Planning to handle)

b. Staff report on individual antennas. (The City Council has questioned conditions of approval on residential projects limiting TV reception to Cablecom or a central (project) antenna. The report weighs pros and cons of current policy and possible amendments. Motion acknowledging receipt of report and directing staff needed.)

ACTION: By motion (Muratore/Lang, majority, Siefkin-no; Elliott, Mayor Mensinger absent) the following policy was adopted: "All utilities shall be underground and cable television service shall be stubbed into all units." In the case of development on private driveways, this means that all units would be wired during construction, but that antennas would be permitted unless restricted by private deed restrictions.

10. Hearing on report of Superintendent of Streets on the cost of installation curbs and/or sidewalks at the following locations:

No. 2 (Planning)

a. Curb along Sunrise Avenue at 820 Muir Road, Lot 11 Block 639. (Lonni Ashlock - \$940.50)

ACTION: Res. 80-1233 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

b. Curb and sidewalk along Sunrise Avenue at 701 Dawn Drive, a portion of Block 1140. (Sally Beleme - \$1,210.00)

ACTION: Res. 80-1234 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

c. Curb along Sunrise Avenue at 940 Oxford Way, a portion of Block 639. (Robert M. Campbell - \$792.00)

ACTION: Res. 80-1235 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

d. Curb along Sunrise Avenue at 606 Muir Road, Lot 7 of Block 611 (Eugene J. Casaretto - \$664.00)

ACTION: Res. 80-1236 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle) 12/9/80

- e. Curb and sidewalk along Sunrise Avenue at 703 Burke Avenue, a portion of Block 634. (Reid C. Cochran - \$2,210.00)

ACTION: Res. 80-1237 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

- f. Sidewalk at 125 Griswold Avenue, Lot 3 of Block 727. (DeKleva, Chenault and Campbell - \$509.00)

ACTION: Res. 80-1238 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

- g. Sidewalk along Griswold Avenue at 319 Griswold Avenue, Lots 18-21 of Block 725. (Dan E. Fleming - \$353.00)

ACTION: Res. 80-1239 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

- h. Curb and sidewalk along Sunrise Avenue at 820 Sunrise Avenue, Lot 1 of Block 631. (French and French - \$1,835.00)

ACTION: Res. 80-1240 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years.
(Finance to handle)

- i. Curb along Sunrise Avenue at 830 Muir Road, Lot 8 of Block 639. (Joseph Fried - \$680.00)

ACTION: Res. 80-1241 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years.
(Finance to handle)

- j. Curb along Sunrise Avenue at 700 Muir Road, Lot 4 of Block 611. (Helen V. Garrick - \$680.00)

ACTION: Res. 80-1242 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years.
(Finance to handle)

- k. Curb and sidewalk at 1932 Evergreen Avenue, a portion of Block 6272. (Hardin, Hayes and Toler - \$3,699.00)

ACTION: Res. 80-1243 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

- l. Sidewalk along Sunrise Avenue at 701 Annabelle Avenue, Lot 635. (Alex Klabanos - \$710.00)

ACTION: Res. 80-1244 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

- m. Curb along Sunrise Avenue at 826 Muir Road, Lot 9 of Block 639. (Francis J. Massetti - \$528.50)

ACTION: Res. 80-1245 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

- n. Curb along Sunrise Avenue at 914 Muir Road, a portion of Block 639. (Brian W. Murray - \$792.00)

ACTION: Res. 80-1246 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

- o. Curb along Sunrise Avenue at 834 Muir Road, Lot 7 of Block 639. (Matt M. Parker - \$870.00)

ACTION: Res. 80-1247 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

- p. Curb and sidewalk along Evergreen Avenue at 1533 Grape Avenue, Lot 1 of Block 6107. (Marshall V. Perry - \$1,692.00)

ACTION: Res. 80-1248 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

- q. Curb at 1015 Sunrise Avenue, Lot 1 of Block 640. (Samuel S. Stewart - \$1,956.50)

PAID - DROPPED FROM AGENDA.

- r. Curb and sidewalk along Sunrise Avenue at 613 Auburn Street, Lot 4 of Block 610. (Samuel P. Saletta - \$738.00)

ACTION: Res. 80-1249 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

- s. Curb at 1305 Fiori Avenue, a portion of Block 1138. (Carl T. Wildermuth - \$740.00)

ACTION: Res. 80-1250 adopted (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

By motion (Kullijian/Muratore, unan., Elliott, Mayor Mensinger absent) staff directed to determine whether Res. No. 67-789 needs to be revised to include current practice. (Atty. to handle)

11. Hearing on amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-D(285) property located on the south side of Norwegian Avenue east of McHenry to allow a two-story 9-unit townhouse condominium complex. No. 3
(Racquetclub Townhouse/Design Concepts)

ACTION: By motion (Muratore/Lang, unan., Elliott and Mayor Mensinger absent)
Ord. 2002-C.S. introduced.

Res. 80-1251 adopted (same vote) approving development plan.

Res. 80-1252 adopted (same vote) certifying review of Environmental Assessment
Review . (Clerk/Planning to handle)

12. Hearing on amendment to Section 7-3-9 of the Zoning Map to rezone from R-2 to P-D(286) property located on the west side of Tully Road south of M.I.D. Lateral No. 6 to allow a residential condominium development. No. 4
(Terra Dynamics)

ACTION: By motion (Kullijian/Muratore, unan., Elliott and Mayor Mensinger absent)
Ord. 2003-C.S. introduced.

Res. 80-1253 adopted (same vote) approving development plan.

Res. 80-1252 adopted (same vote) certifying review of Environmental Assessment
Review. (Clerk/Planning to handle)

13. Hearing on amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-D(287) property located at the southwest corner of Oakdale and Orangeburg to allow a complex containing professional offices, financial institution, and residential condominiums. No. 5
(Oakwood Builders)

ACTION: By motion (Lang/Kullijian, unan., Elliott and Mayor Mensinger absent)
Ord. No. 2004-C.S. introduced.

Res. 80-1255 adopted (same vote) approving development plan.

Res. 80-1256 adopted (same vote) certifying review of Environmental Assessment
Review. (Clerk/Planning to handle)

14. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

15. Final adoption of:

- a. Ord. No. 1997-C.S. rezoning from R-2 to P-D(284) to allow conversion to condominiums, property located on the south side of Sylvan east of Keller (Modesto Development).
- b. Ord. No. 1998-C.S. rezoning from P-0 to P-D(283) to allow construction of a professional office complex including financial institutions, on the east side of Dale Road north of Veneman (J. C. Properties).
- c. Ord. No. 1999-C.S. changing speed limits on various City streets.
- d. Ord. No. 2000-C.S. relating to the time and manner of publication of ordinances.
- e. Ord. No. 2001-C.S. relating to Animal Control Officers.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

CONSENT

16. (1) Introduction of regular ordinance, and (2) adoption of emergency ordinance amending Sections 2-5.02, 2-5.03, 2-5.04, 2-5.06, 2-5.12, 2-5.16, 2-5.17 and 2-5.18 of Chapter 5 of Title II of the Modesto Municipal Code and repealing 2-5.21 thereof, relating to the Personnel System, and (3) adoption of a resolution amending Section 12 of the Personnel Rules relating to appeals and hearings. (Memo with agenda. Introduction of a regular ordinance, adoption of emergency ordinance, and adoption of a resolution needed.)

ACTION: By motion, Ord. No. 2005-C.S. introduced amending Personnel Rules relating to appeals and hearings.

By motion, Ord. No. 2006-C.S. adopted - emergency ordinance amending Personnel Rules relating to appeals and hearings.

Res. 80-1257 adopted approving amendment to Personnel Rules. (Clerk to handle)

NEW BUSINESS

CONSENT

17. Consider issuance of purchase order to Del Este Water Co. for the relocation of waterlines and the removal and replacement of facilities in conjunction with the construction of the West Trunk Sewer.

(A purchase order in the amount of \$6,785 has already been issued to Del Este Water Co. for the relocation of waterlines and the removal and replacement of 3/4" services. An additional amount of \$3,017 is required for additional removal and the installation of waterlines on Dunning and Paradise. Resolution authorizing issuance of purchase order to Del Este Water Co. needed. Funds are budgeted.)

ACTION: Res. 80-1258 adopted authorizing issuance of a purchase order. (Finance to handle)

CONSENT

18. Consider approval of the final map of Orcharddale subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Rex Properties. (The subdivision agreement has been signed and all fees paid. Orcharddale is located south of West Rumble Road between Lou Ann Drive and Sisk Road. It contains 2.966 acres. Resolution approving final map needed.)

ACTION: Res. 80-1259 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider directing City Clerk to submit a copy of the Dry Creek Golf Course and sewer extension measures to the City Attorney for preparation of the impartial analyses. (Memo with agenda. Resolution directing City Clerk needed.)

ACTION: Res. 80-1260 adopted directing City Clerk. (Clerk/Atty. to handle)

CONSENT

20. Consider adopting the 1981 Tow Service rate schedule for police department related towing. (Memorandum and suggested rate schedule with agenda. Resolution adopting 1981 schedule needed.)

ACTION: Res. 80-1261 adopted adopting 1981 schedule. (Police to handle)

CONSENT

21. Consider approving lease agreement with Clinton Ray and Maxine Ray for lease of a portion of well site no. 2. (This is a lease of a small area next to well site no. 2 at 110 Poplar Avenue to be used for a garden site by the lessee. Lessee will pay a nominal \$5.00 per year and keep the area maintained. He will provide water from his adjoining home and pay taxes. Resolution approving agreement needed.)

ACTION: Res. 80-1262 adopted approving agreement. (P.W. to handle)

CONSENT

22. Consider withdrawing Scenic-Coffee Annexation from the McHenry-Dry Creek Fire Protection District. (The effective date of this annexation was November 20, 1980. Resolution withdrawing Scenic-Coffee Annexation from the McHenry-Dry Creek Fire Protection District needed.)

ACTION: Res. 80-1263 adopted withdrawing from Fire Protection District. (Clerk to handle)

CONSENT

23. Consider determining that the public interest and convenience require that Scenic-Coffee Annexation be annexed to Modesto Municipal Sewer District No. 1. (The effective date of this annexation was November 20, 1980. Resolution setting public hearing January 20, 1981, at 4:00 p.m. needed.)

ACTION: Res. 80-1264 adopted setting hearing. (Clerk to handle)

CONSENT

24. Proposed Housing Element of the Modesto Urban Area. (Memo with agenda. Resolution setting public hearing January 27, 1981, at 7:30 p.m. needed.)

ACTION: Res. 80-1265 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend to Council an amendment to Section 22-3-9 of the Zoning Map.- Zagaris Management Services. (On December 1, 1980, the Planning Commission adopted Resolution 80-301 recommending to the City Council an amendment to Section 22-3-9 of the Zoning Map to rezone from R-3 to P-D property located at the northwest corner of Oakdale and Orangeburg. Michael P. Zagaris has requested that the hearing be continued to February 3, 1981. Resolution setting public hearing January 13, 1981, 7:30 p.m., and indicating Council's intention to continue the hearing to February 3, 1981, at 4:00 p.m. needed.)

ACTION: Res. 80-1266 adopted setting hearing. (Clerk to handle)

CONSENT

26. Recommend to Council an amendment to P-D(134) - Guarantee Savings & Loan. (On December 1, 1980, the Planning Commission adopted Resolution 80-302 recommending to the Council an amendment to P-D(134) to revise the plot plan and to add a financial institution, property located at the southeast corner of Oakdale and E. Orangeburg. Resolution setting public hearing January 13, 1981, at 7:30 p.m. needed.)

ACTION: Res. 80-1267 adopted setting hearing. (Clerk to handle)

CONSENT

27. Recommend to Council an amendment to Section 27-3-9 of the Zoning Map - Howard G. Bell. (On December 1, 1980, the Planning Commission adopted Resolution 80-300 recommending to the Council an amendment to Section 27-3-9 of the Zoning Map to rezone from R-1 to R-3 property located on the east side of Brighton Avenue north of Scenic Drive. Resolution setting hearing January 13, 1981, at 7:30 p.m. needed.)

ACTION: Res. 80-1268 adopted setting hearing. (Clerk to handle)

REPORTS

CONSENT

28. Presentation of Financial Statement for November, 1980.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

29. Legislation

None

30. Appointments

None

31. Matters too late for the agenda.

None

Adjourned at 10:00 p.m. to December 16, 1980, 1:30 p.m., at the Modesto Bee Office, 14th and H Streets, Modesto.

ATTEST:



NORRINE COYLE, City Clerk

Adjourned Special Meeting
Modesto City Council
December 16, 1980

The Council of the City of Modesto met pursuant to adjournment at 1:30 p.m., at the Modesto Bee, 1325 H Street, Modesto, California.

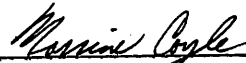
Present: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin,
Mayor Mensinger

Absent: Councilmembers: Kullijian

The Councilmembers met with Editorial Staff of the Modesto Bee to discuss their policies and procedures of publishing the newspaper and to tour the Modesto Bee facility.

The meeting adjourned at 3:40 p.m.

ATTEST:



NORRINE COYLE, City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 16, 1980 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: ^{2A} Items 2, 3, 4, 5, 6, 7, 8, 12, 13, 16, 19,
20, 22, 23, 24, 25, 28,
Removed from consent: 26, 27, 29, 34 30, 31, 32,

ACTION: (Siefkin/Muratore, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

PRESENTATIONS

1. Presentation to Modesto Junior College football team.

ACTION: Mayor Mensinger presented a proclamation and T-shirts to the President, Coaches and members of the football team of Modesto Junior College.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of December 5, 1980, and the regular City Council meeting of December 9, 1980.
(Motion approving needed.)

ACTION: By motion, minutes approved. (Clerk to handle)

COMMUNICATIONS

CONSENT

2A. Letter from Modesto Disposal Service requesting Council support of their application to the State Solid Waste Management Board for a grant to improve the solid waste management program in the greater Modesto area.
(Resolution supporting grant application needed.)

ACTION: Res. 80-1269 adopted supporting grant application. (P.W. to handle)

CONSENT

3. Consider approval of plans and specifications for the construction of Fire Prevention Bureau parking lot.
(Suggested bid opening: January 6, 1980 at 11:00 a.m. This project will provide parking area for the Fire Prevention Bureau at 14th and "F" Streets. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$13,150 (Contr. \$11,000, Eng. \$2,150). Funds are budgeted.)

ACTION: Res. 80-1270 adopted calling for bids. (P.W. to handle)

CONSENT

4. Consider award of contract for street light modernization on 11th Street.
(Bids were opened December 9, 1980, and the low bid submitted by Industrial Electrical Co. of \$21,229.30 is 18% below the engineers' estimate and is considered acceptable. Therefore, it is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Industrial Electrical Co. needed. Estimated Cost: \$24,229.30 (Contr. \$21,229.30; Eng. & Contg. \$3,000). Funds are budgeted.)

ACTION: Res. 80-1271 adopted awarding contract. (P.W. to handle)

CONSENT

5. Consider award of contract for construction of curb and gutter on Briggsmore Avenue.
(Bids were opened December 9, 1980 and the low bid submitted by The Flintkote Company of \$46,834.50 is 15% below the engineer's estimate and considered acceptable. The Public Works Department recommends the contract be awarded to them. Resolution awarding the contract to Flintkote Company needed. Estimated Cost: \$49,834.50 (Contr. \$46,834.50; Eng. & Contg. \$3,000). Funds are budgeted.)

ACTION: Res. 80-1272 adopted awarding contract. (P.W. to handle)

CONSENT

6. Consider award of contract for the construction of Orchard Neighborhood drainage facilities.
(Bids were opened on November 25, 1980. The low bid of \$1,031,362.92 is 14% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to Western Pipeline Co., Inc. Resolution awarding contract to Western Pipeline Co., Inc. needed. Estimated Cost: \$1,256,362.80 (Constr. \$1,196,536; Eng. \$59,826.80). Funds are budgeted.)

ACTION: Res. 80-1273 adopted awarding contract. (P.W. to handle)

CONSENT

7. Consider Dial-A-Ride bids.
(Memo with agenda. Due to an error by the low bidder, bids should be rejected and the staff authorized to negotiate a contract. Resolution rejecting bids and authorizing staff to negotiate a contract based on the bid specifications needed. Estimated Cost: \$355,000/year. Funds are budgeted.)

ACTION: Res. 80-1274 adopted rejecting bids and authorizing negotiation of contract. (P.T. to handle)

CONSENT

8. Consider waiving formal bid procedures and authorize the purchase of one computer plotter from the Hewlett-Packard Corporation for the total purchase price of \$16,569.36.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 80-1275 adopted waiving formal bid procedures. (Finance to handle)

HEARINGS

9. Hearing on appeal by Delta Blood Bank to a decision of the Environmental Assessment Committee regarding a blood bank facility on the corner of Orangeburg and Melrose Streets. No. 1

ACTION: Res. 80-1276 (Kulljian/Bright, unan.) granting appeal. (Planning to handle)

10. Continued hearing on request by garbage companies for rate adjustment in garbage service charges. No. 2
(Continued from the December 2, 1980 Council meeting.)

ACTION: By motion (Siefkin/Elliott, unan.) hearing continued to January 20, 1981, at 4:00 p.m. (Clerk to handle)

11. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

12. Final adoption of:

- a. Ord. No. 2002-C.S. rezoning from R-1 to P-D(285) property located on the south side of Norwegian Avenue east of McHenry to allow a condominium complex. (Racquetclub Townhouse/Design Concepts)
- b. Ord. No. 2003-C.S. rezoning from R-2 to P-D(286) property located on the west side of Tully Road south of M.I.D. Lateral No. 6 to allow a residential condominium development. (Terra Dynamics)
- c. Ord. No. 2004-C.S. to rezone from R-1 and R-2 to P-D(287) property located at the southwest corner of Oakdale and Orangeburg to allow a complex containing professional offices, financial institution, and residential condominiums. (Oakwood Builders)
- d. Ord. No. 2005-C.S. revising the Modesto Municipal Code Sections relating to the Personnel System to correspond with the revised Charter sections.

(Motion adopting needed.)

ACTION: By motion, Ordinances adopted.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

13. Further consideration of the request of First Baptist Church to abandon "N" Street between 11th and 12th Streets, the 20-foot alley in Block "H", and a portion of the 20-foot alley in Block 88. (This abandonment request was previously considered at a public hearing held on March 25, 1980. Final action on the abandonment request was continued to allow First Baptist Church to comply with certain conditions. The conditions have been met and final abandonment action would be in order. Memo with agenda. Resolution abandoning street and alley right of way needed.)

ACTION: Res. 80-1277 adopted abandoning street and alley right of way. (Planning to handle)

NEW BUSINESS

14. Consider revising City Council Meeting agenda order. (Memo with agenda. Introduction of ordinance amending Code needed.)

ACTION: By motion, Ord. 2007-C.S. introduced. (Siefkin/Elliott, unan.) (Clerk to handle)

15. Consider argument against the Dry Creek Golf Course measure on the March 3, 1981, ballot.

ACTION: By motion (Elliott/Muratore, majority, Kullijian-no) Council determined it would place an argument opposing the initiative in the sample ballot.

CONSENT

16. Consider shift of Zoning Inspection from Public Works to Planning and Community Development Department.
(Memo with agenda. Motion approving change and directing staff to prepare the necessary Code text amendments, and resolution approving appropriation transfer of \$37,564 from the Public Works Department to Planning and Community Development Department needed.)

ACTION: By motion shift of Zoning Inspection personnel approved. (Planning to handle)

Res. 80-1278 adopted approving appropriation transfer.

17. Consider approving a grant contract with Caltrans for \$11,250 and receipt of a staff report - "A Locational Analysis for a Downtown Transportation Center." (Director of Parking and Traffic memo dated November 21, 1980, with agenda. The grant covers 25% of the estimated \$45,000 cost for plans, specifications, and engineering work on the Downtown Transportation Center Project. "A Locational Analysis for a Downtown Transportation Center" outlines the current and future trends in transit, transportation center site needs, possible site layouts, analysis of seven site alternatives, and concludes with staff recommendations that three sites be studied further: SPRR Passenger Depot block; SPRR Freight Depot Block; and the site behind Turner's, adjacent to Greyhound. Resolution approving grant contract with Caltrans and motion acknowledging receipt of location analysis report and directing staff needed. Estimated cost: \$45,000; funds are budgeted.)

ACTION: Res. 80-1279 adopted (Elliott/Lang, unan.) approving grant contract.

Res. 80-1280 adopted (same vote) setting hearing on January 27, 1981, 7:30 p.m. on the report. (P.T./Clerk to handle)

18. Consider alternatives for interim bus passenger terminal at 9th and I Streets. (Memo with agenda. Staff has developed three alternatives to an interim bus terminal. It is recommended that the alternative to construct three super-sized shelters be approved. Motion directing staff needed. Estimated cost: \$41,500; funds are partially budgeted. Transfer for shortage to be requested later when bids are sought or at hand.)

ACTION: By motion (Lang/Siefkin, unan.) staff recommendation, alternative 2, approved. (P.T. to handle)

CONSENT

19. Request by Councilmembers Bright, Elliott, and Muratore for approval of absence from the December 2, 1980, City Council meeting because of attendance at the National League of Cities conference.
(Motion granting permission needed.)

ACTION: By motion, permission given.

(Clerk to handle)

CONSENT

20. Consider approving lease agreement with Roger L. Gish and Mary A. Gish for a portion of future Aqueduct Park site.
(This is a renewal of an existing lease. Lessee farms four acres of almonds. City receives 25% of the crop. Lessee also agreed to weed abate an adjoining two acres of bare land. Lessee also pays taxes and utilities. Lease expires 10-31-82. Resolution approving agreement needed.)

ACTION: Res. 80-1281 adopted approving agreement.

(P.W. to handle)

CONSENT

22. Consider authorizing an agreement between the City and the California Housing Finance Agency (C.H.F.A.) by which the City will make below-market rate interest loans for rehabilitation of residential structures.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 80-1282 adopted approving agreement.

(Planning to handle)

CONSENT

23. Consider preapplication for Federal Grant at City-County Airport.
(Current budget includes funding for constructing extended runway safety area and acquisition of five aviation easements. Final engineering cost estimates show project cost increasing from \$125,000 budgeted to \$200,000. Preapplication is to request additional grant funding for project. Memo with agenda. Resolution approving transmitting a copy of the preapplication to the County requesting their participation in this project needed. Estimated cost: \$125,000; funds are budgeted.)

ACTION: Res. 80-1283 adopted approving transmitting a copy of preapplication to County.
(P.W. to handle)

CONSENT

24. Consider advertising inside buses.
(Transadtise has offered \$1/bus/month to have the exclusive franchise to place advertising cards inside our buses where the ceilings and walls meet. The City-County Transportation Committee recommends that the offer be declined. Motion declining the Transadtise offer needed.)

ACTION: By motion, declined the Transadtise offer.

(P.T. to handle)

CONSENT

25. Recommend to Council an amendment to Section 7-3-9 of the Zoning Map - C. W. Brower, Inc. (On December 1, 1980, the Planning Commission adopted Res. 80-303 recommending to the City Council an amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to P-D(292) property located on the northwest corner of Standiford Avenue and Carver Road to conform an existing commercial establishment and to allow erection of commercial signs. Resolution setting public hearing January 13, 1981, at 7:30 p.m. needed.)

ACTION: Res. 80-1284 adopted setting hearing. (Clerk to handle)

26. Consider approving lease agreement with Donald H. Scott and Margaret D. Scott for lease of the future Riverside Park/Dry Creek Park property (16+ acres). (New four-year lease which will supersede a lease with one year remaining. New lease allows lessee to plant alfalfa hay which requires a large initial investment. Lessee will pay City 30% of hay crop for the last three years of lease. First year will remain at 20% of crop for 10 acres and free use for 6 acres in return for pulling trees. Resolution approving agreement needed.)

ACTION: By motion (Lang/Siefkin, unan.) this item held over one week. (Clerk to handle)

27. Consider approving lease agreement with Donald H. Scott and Margaret D. Scott for lease of the former Eula Scott property (portion of future Dry Creek Park). (This is a renewal of a lease with Mr. Scott. Old lease was for 20% of the crop. New lease is for 25% of the crop for a three year term. Lessee pays taxes and water. Resolution approving agreement needed.)

ACTION: By motion (Lang/Siefkin, unan.) this item held over one week. (Clerk to handle)

CONSENT

28. Consider bus patron shelter franchise. (Memo with agenda. Transadtise has asked for a 7-year franchise to provide shelters with advertising. They'd pay the City \$16/month/shelter for the franchise. The City-County Transportation Committee recommends that the offer be declined but that the matter be watched for developments. Motion declining the offer of Transadtise needed.)

ACTION: By motion, offer declined. (P.T. to handle)

29. Consider bus stop signs. (Memo with agenda. The City-County Transportation Committee recommends an initial signing program of 24 - 33 signs. Motion approving the initial bus stop signing program needed. Estimated cost: \$1,320; funds are budgeted.)

ACTION: By motion (Lang/Elliott, unan.) approved staff recommendation. (P.T. to handle)

CONSENT

30. Consider approval of the final maps of Vintage Grove Townhouses Nos. 1 through 4 subdivisions of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers - Oakhurst Development Company.

(The subdivision agreements have been signed and all fees paid. Vintage Grove Townhouses Nos. 1 through 8 are located at the northwest corner of Dale Road and Snyder Avenue. Four resolutions approving final maps needed.)

ACTION: Res. 80-1285 adopted approving final map of Vintage Grove Townhouse No. 1 Subd.

Res. 80-1286 adopted approving final map of Vintage Grove Townhouse No. 2 Subd.

Res. 80-1287 adopted approving final map of Vintage Grove Townhouse No. 3 Subd.

Res. 80-1288 adopted approving final map of Vintage Grove Townhouse No. 4 Subd.

(Clerk to handle)

CONSENT

31. Consider response to LAFCO regarding the Kansas Avenue-Franzia Court Governmental Reorganization.

(Memo, map and questionnaire with agenda. Resolution responding favorably to the proposed annexation needed.)

ACTION: Res. 80-1289 adopted responding favorably to the proposed annexation.

(Planning to handle)

CONSENT

32. Consider the following pertaining to the Sunnyside No. 2 Annexation:

1) Approval of LAFCO Questionnaire indicating no opposition to annexation.

2) Declaration of extenuating circumstances to allow independent negotiation of property tax allocation under provisions of City-County agreement. Memo with agenda.

(Resolution responding favorably to proposed annexation needed, and resolution declaring the existence of extenuating circumstances pertaining to property tax allocation needed.)

ACTION: Res. 80-1290 adopted responding favorably to the proposed annexation.

Res. 80-1291 adopted declaring existence of extenuating circumstances.

(Planning to handle)

REPORTS

33. Report of proposed transfer of ownership of the CATV service authorized by the City franchise and request for Council action indicating consent to the proposed transfer of ownership.

(Report with agenda. Resolution consenting to transfer needed.)

ACTION: Res. 80-1292 adopted (Lang/Siefkin, unan.) consenting to transfer of Cablecom General to Capital Cities Communications, Inc. (Finance to handle)

Councilmember Lang was excused at 5:55 p.m.

34. Report on golf course finances and recommended rate increases.
(Report with agenda reviews last years income and expenditures and proposes a new fee schedule to become effective January 1, 1981. Resolution establishing fees needed.)

ACTION: Res. 80-1293 adopted (Kullijian/Elliott, unan., Lang absent) establishing fees.
(P.R. to handle)

MISCELLANEOUS

35. Legislation

None

36. Appointments

ACTION: Res. 80-1294 adopted (Siefkin/Muratore, unan., Lang absent) reappointing J.D. Grothe and Yev Philipovitch to Board of Building Appeals, terms to expire 1/1/85.

Res. 80-1295 adopted (same vote) reappointing Bette Belle Smith to the Culture Commission, term to expire 1/1/85.

Res. 80-1296 adopted (same vote) reappointing Ray Ewing to the Planning Commission, term to expire 1/1/85.
(Clerk to handle)

37. Matters too late for the agenda.

None

Adjourned at 6:00 p.m. to executive session to discuss potential and pending litigation.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 23, 1980 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore,

Absent: Councilmembers Kullijian, Siefkin, Mayor Mensinger

Election of Mayor pro tem:

By motion (Lang/Muratore, unan., Kullijian, Siefkin, Mayor Mensinger absent)
Councilmember Elliott was elected Mayor pro tem.

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 10, 15, 16, 17,
18, 19, 20, 22, 24, 25, 26

Dropped from agenda: No. 21

ACTION: (Lang/Bright, unan., Kullijian, Siefkin, Mayor Mensinger absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items.)

MINUTES

CONSENT

1. Approval of the minutes of the December 16, 1980, regular and adjourned regular Council meetings.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

CONSENT

2. Letter from Ecology Action Educational Institute requesting support of application for a grant.
(Resolution supporting grant application needed.)

ACTION: Res. 80-1297 adopted supporting grant application.

(P.W. to handle)

CONSENT

3. Appeal by Ad Art Signs, Inc. to a decision of the Planning Commission regarding a sign on the southeast corner of Orangeburg and Oakdale Roads.
(Resolution setting hearing January 13, 1981, 7:30 p.m.)

ACTION: Res. 80-1298 adopted setting hearing.

(Clerk to handle)

CONSENT

4. Letter from William Ulm resigning from the Citizens' Housing and Community Development Committee.
(Resolution accepting resignation with regret.)

ACTION: Res. 80-1299 adopted accepting resignation with regret.

(Clerk to handle)

4A. Letter from Richard Hoffman regarding raise of golf rates at golf courses.

ACTION: Some concerns about the golf courses were presented by Mr. Hoffman. By direction of the chair, staff to check into the matters raised and contact Mr. Hoffman with answers. (P.R. to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications for the construction of waterline extension at Seattle and Spokane.

(Suggested bid opening: January 13, 1981, at 11:00 a.m. This project will replace an existing 4" steel water main with an 8" A.C.P. to provide better water service, fire flows and circulation in the area. Resolution approving plans and specifications and call for bids needed. Est. cost: \$38,845 (Contract \$33,950; Eng. \$4,895); funds are budgeted.)

ACTION: Res. 80-1300 adopted calling for bids. (P.W. to handle)

CONSENT

6. 1) Consider declaring Duke Equipment low bidder on Item III and authorize the purchase of one turf aerator.

2) Consider rejecting bids received from H. V. Carter Company on Items I and II and authorize call for new bids to be opened January 13, 1981, at 2:00 p.m. for furnishing six turf trucks.

(Memorandum with agenda. Resolution authorizing purchase needed, and resolution rejecting bids and authorizing new call for bids needed. Estimated cost: \$1,857.19 aerator; \$26,404 turf trucks; funds are budgeted.)

ACTION: Res. 80-1301 adopted authorizing purchase of one turf aerator.

Res. 80-1302 adopted rejecting bids on items I and II and authorizing new call for bids. (Finance to handle)

CONSENT

7. Consider waiving formal bid procedures and authorize the purchase of two six-inch compound water meters from Hersey Products, Inc. for the total price of \$8,516.04.

(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed; funds are budgeted.)

ACTION: Res. 80-1303 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

HEARINGS

8. Hearing regarding costs of alley resurfacing at the locations on the following pages:

No. 1

BLOCK 8 - Bounded by 3rd Street - 4th Street/J Street - I Street

(1) John C. Holzheimer, Lots 17 & 18, \$169.39

ACTION: Res. 80-1304 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(2) Ahmed A. Machmali, Lot 19 & portion 20, \$127.04

ACTION: Res. 80-1305 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(3) James R. Melson, Lot 21 and portion 20, \$127.04

ACTION: Res. 80-1306 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(4) Lola Melson, Lots 22 & 23, \$169.39

ACTION: Res. 80-1307 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(5) Raymond J. Salomon, Lots 24 & 25, \$169.39

ACTION: Res. 80-1308 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(6) Wanda V. Melson, Lots 26 & 27, \$169.39

ACTION: Res. 80-1309 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(7) Thelma Turren, Lots 28, 29 & portion 30, \$203.27

ACTION: Res. 80-1310 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(8) Silas Green, Lots 31, 32 and portion 30, \$220.21

ACTION: Res. 80-1311 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(9) Leroy F. Scott, Lots 14-16 & portion 13, \$304.91

ACTION: Res. 80-1312 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(10) Silas W. Green, Lot 12 & portion 13, \$152.45

ACTION: Res. 80-1313 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(11) Freda Samuels, Lots 10 & 11, \$169.39

ACTION: Res. 80-1314 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(12) Allen B. Waters, Lots 8 & 9, \$169.39

ACTION: Res. 80-1315 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(13) Florencio Santos, Lots 6 & 7, \$169.39

ACTION: Res. 80-1316 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(14) Reyes F. Rangel, Lots 4 & 5, \$169.39

ACTION: Res. 80-1317 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(15) Leopold Prescott, Lots 1, 2 & 3, \$254.09

ACTION: Res. 80-1318 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

BLOCK 233 - Bounded by LaSombra - LaLoma/Bonita - Las Flores

(16) Lucienne Frad, Lot 1, \$279.92

ACTION: Res. 80-1319 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(17) Melvin A. Taylor, Lot 2, \$279.92

(Paid - dropped from agenda)

(18) Francis M. Christiansen, Lot 3, \$235.13

(Paid - dropped from agenda)

(19) James R. Abbey, Lot 4, \$235.13

ACTION: Res. 80-1320 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(20) Leah H. Wieland, Lot 5, \$235.13

ACTION: Res. 80-1321 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(21) Frank M. Wilson, Lot 6, \$404.88

ACTION: Res. 80-1322 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(22) Pauline P. Stanley, Lots 7 & 8, \$757.69

ACTION: Res. 80-1323 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(23) F. L. Richt, Lot 9, \$240.43

ACTION: Res. 80-1324 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(24) Sam Neesan, Lot 10, \$261.26

ACTION: Res. 80-1325 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(25) Cecil E. Kilroy, Lot 11, \$261.26

ACTION: Res. 80-1326 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

BLOCK 305 - Bounded by Calaveras Ave. - 7th Street/Sierra Drive - Tuolumne Blvd.

- ACTION: (26) Wille Electric Supply Co., Inc., Lots 1-6 & 39-42, \$484.76
Res. 80-1327 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (27) Collins Electrical Co., Inc., Lots 28-38, \$359.08
Res. 80-1328 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (28) Pentecostal Church, Lots 24-27, \$326.44
Res. 80-1329 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (29) United Pentacostal Church, Lots 22-23, \$522.30
Res. 80-1330 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (30) Stanley J. Dansby, Lots 20 & 21, \$179.54
Res. 80-1331 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (31) Bernaldino R. Alvarado, Lots 18 & 19, \$163.22
Res. 80-1332 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (32) Harley C. Winter, Lots 16 & 17, \$163.22
Res. 80-1333 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (33) Robert S. Jones, Lots 14 & 15, \$163.22
Res. 80-1334 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (34) Randy W. Lambert, Lots 12 & 13, \$187.70
Res. 80-1335 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (35) John P. Mineni, Lots 7, 8 & 9, \$440.69
Res. 80-1336 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

BLOCK 311 - Bounded by Madera Ave. - Merced Avenue/Sierra Drive - Center Street

- ACTION: (36) Lazaro Salcedo, Lots 38 & 39, \$187.70
Res. 80-1337 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (37) Calvin D. Stump, Lots 36 & 37, \$163.22
Res. 80-1338 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(38) Amparo Jaime, Lots 34 & 35, \$163.22

(Paid - dropped from agenda)

(39) Clara Witt, Lots 32 & 33, \$163.22

ACTION: Res. 80-1339 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(40) Owen Jensen, Lots 30 & 31, \$163.22

ACTION: Res. 80-1340 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(41) Gilbert J. Silva, Lots 28 & 29, \$163.22

ACTION: Res. 80-1341 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(42) Tommy Searls, Lots 26 & 27, \$187.70

ACTION: Res. 80-1342 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(43) Robert L. Lotspeich, Lots 24 & 25, \$187.70

ACTION: Res. 80-1343 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(44) Richard A. Hoke, Lots 22 & 23, \$163.22

ACTION: Res. 80-1344 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(45) Dorothy C. Pozega, Lots 20 & 21, \$163.22

ACTION: Res. 80-1345 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(46) Tony Mello, Lots 18 & 19, \$163.22

ACTION: Res. 80-1346 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(47) Hazel I. Fuller, Lots 16 & 17, \$163.22

ACTION: Res. 80-1347 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(48) Mary L. Pacheco, Lots 14 & 15, \$163.22

ACTION: Res. 80-1348 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(49) Mary Mello, Lots 12 & 13, \$187.70

ACTION: Res. 80-1349 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

BLOCK 350 - Bounded by Yosemite Ave. - Colorado Ave./Tuolumne Blvd. - Western Way

(50) Chapel Owens, Lots 11 & 12, \$163.22

ACTION: Res. 80-1350 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(51) Mary Rosa, Lots 13 & 14, \$163.22

ACTION: Res. 80-1351 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(52) Karen Anderson, Lots 15 & 16, \$163.22

ACTION: Res. 80-1352 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(53) Lucas A. Ayala, Lots 17 & 18, \$163.22

ACTION: Res. 80-1353 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(54) Gilbert G. Soto, Lots 19 & 20, \$163.22

ACTION: Res. 80-1354 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(55) Betty J. Smith, Lots 21 & 22, \$163.22

(Paid - dropped from agenda)

(56) Dorothy G. Corriea, Lots 23 & 24, \$163.22

ACTION: Res. 80-1355 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(57) Hermenejildo Landeros, Lot 25 & portion 26, \$122.41

ACTION: Res. 80-1356 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(58) Steven Sanders, Lot 27 & portion 26, \$131.23

ACTION: Res. 80-1357 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(59) Fransah Benyamino, Lot 28 & portion 29, \$131.23

ACTION: Res. 80-1358 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(60) Nasario Linares, Lot 30 & portion 29, \$122.41

ACTION: Res. 80-1359 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(61) Raymond Caine, Lots 31 & 32, \$163.22

ACTION: Res. 80-1360 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(62) Agustin V. Alberto, Lots 33 & 34, \$163.22

ACTION: Res. 80-1361 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(63) Christine F. Whaley, Lots 35 & 36, \$163.22

ACTION: Res. 80-1362 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(64) Rupert A. Peter, Lots 37 & 38, \$163.22

ACTION: Res. 80-1363 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(65) Frances Dunham, Lots 39 & 40, \$163.22

ACTION: Res. 80-1364 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(66) Ruth E. Williams, Lots 41 & 42, \$163.22

ACTION: Res. 80-1365 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(67) Junior L. Smith, Lots 43-44, \$163.22

(Paid - dropped from agenda)

BLOCK 813 - Bounded by Princeton Ave. - Yale Ave./Mills Ave. - College Ave.

(68) John H. Olson, Lot 1 & portion 2, \$358.35

ACTION: Res. 80-1366 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(69) Johnny R. Lazar, portion Lot 2 & Lot 3, \$303.06

ACTION: Res. 80-1367 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(70) Doris J. Anderson, Lot 4 & portion 3, \$296.33

ACTION: Res. 80-1368 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(71) Olive M. Shepard, Lot 5, \$231.41

ACTION: Res. 80-1369 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(72) Theodor Groene, Lot 6, \$222.25

ACTION: Res. 80-1370 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(73) Stanford Cushway, Lot 7, \$225.08

ACTION: Res. 80-1371 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(74) Thomas D. Basmajian, Lot 11, \$225.08

ACTION: Res. 80-1372 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(75) Fred M. Johnson, Lot 12, \$222.25

ACTION: Res. 80-1373 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(76) Albert E. Carrade, Lot 13, \$232.15

ACTION: Res. 80-1374 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(77) Elton J. Simmonds, Lot 14 & portion 15, \$313.17

ACTION: Res. 80-1375 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(78) Robert A. Crabb, portion Lot 15 and Lot 16, \$286.23

ACTION: Res. 80-1376 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

(79) Dorothea M. Flournoy, Lot 17 & portion 16, \$353.58

(Paid - dropped from agenda)

BLOCK 1207 - Bounded by Briggsmore - Coolidge/Lorry Ave. - Morene Way

- ACTION: (80) Marguerite N. Van Alfen, Lot 7, \$252.11
Res. 80-1377 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (81) Dewey L. Stines, Lot 6, \$243.20
Res. 80-1378 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (82) Lee R. Bayley, Lot 5, \$243.20
Res. 80-1379 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (83) Victor Brown, Lot 4, \$242.28
Res. 80-1380 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (84) Bennideen M. Lockhart, Lot 11, \$245.42
Res. 80-1381 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (85) Carl R. Briscoe, Lot 10, \$243.20
Res. 80-1382 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (86) Stephen R. Fairchild, Lot 9, \$243.20
Res. 80-1383 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (87) Michael Damkowitz, Lot 8, \$248.97
Res. 80-1384 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (88) John E. Shores, Lot 3, \$258.90
(Paid - dropped from agenda)
- ACTION: (89) Thomas V. Baba, Lot 2, \$375.40
Res. 80-1385 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (90) Ruby Carey, Lot 1, \$48.97
(Paid - dropped from agenda)

BLOCK 1206 - Bounded by Briggsmore - Coolidge/Lorry Ave. - Morene Way

- ACTION: (91) Derek J. Larkin, Lot 14, \$48.97
Res. 80-1386 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (92) Daniel M. Swass, Lot 13, \$375.40
Res. 80-1387 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

ACTION: (93) Paul W. Howard, Lot 12, \$258.77
Res. 80-1388 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

BLOCK 2029 - Bounded by Roble Ave. - LaLoma Ave./Wilson Ave. - Santa Ana Ave.

ACTION: (94) Albert Autry, Jr., portion Lot 35, \$228.34
Res. 80-1389 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(95) Lester B. Starr, portion Lot 34 & Lot 35, \$213.23

(Paid - dropped from agenda)

ACTION: (96) Bruce Service, portion Lot 33 & Lot 34, \$213.23
Res. 80-1390 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

ACTION: (97) Christine L. Thomason, portion Lot 32 & Lot 33, \$213.23
Res. 80-1391 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

ACTION: (98) Robert E. Lofgren, portion Lot 31 & Lot 32, \$241.66
Res. 80-1392 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

ACTION: (99) Pauline Snowden, portion Lot 30 & Lot 31, \$195.46
Res. 80-1393 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

ACTION: (100) Edmond T. Raper, portion Lot 29 & Lot 30, \$248.77
Res. 80-1394 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

ACTION: (101) Pearle T. Mann, portion Lot 29, \$177.69
Res. 80-1395 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(102) Lawrence E. Bolles, portion Lot 28 & Lot 29, \$177.69

(Paid - dropped from agenda)

(103) Doris C. Swasey, portion Lot 27 & Lot 28, \$212.24

(Paid - dropped from agenda)

(104) Clinton L. Atwood, portion Lot 26, Lot 27, \$213.23

(Paid - dropped from agenda)

ACTION: (105) Ralph L. William, Jr., portion Lot 25 & Lot 26, \$158.47
Res. 80-1396 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

ACTION: (106) Buddy R. Collins, portion Lot 26 & Lot 27, \$316.79
Res. 80-1397 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

- ACTION: (107) Georgia A. Harkrader, portion Lot 27 & Lot 28, \$212.24
Res. 80-1398 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (108) James E. Stoker, portion Lot 28 & Lot 29, \$199.02
Res. 80-1399 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (109) Leon Glenn, portion Lot 29 & Lot 30, \$177.69
Res. 80-1400 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (110) Philip A. Peterson, portion Lot 30, \$213.23
Res. 80-1401 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (111) Raymond K. Durr, portion Lot 31, \$234.56

(Paid - dropped from agenda)

- ACTION: (112) Leroy Deldon, portion Lot 32 & Lot 33, \$426.46
Res. 80-1402 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (113) Erwin E. More, portion Lot 33 & Lot 34, \$195.46
Res. 80-1403 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (114) Willis D. Severe, portion Lot 34 & Lot 35, \$213.23
Res. 80-1404 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (115) Phillip B. Swearingen, portion Lot 35, \$228.34
Res. 80-1405 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

BLOCK 2128 - Bounded by Severin Ave. - Camellia Way/Roble Ave. - Haddon Ave.

(116) Herald C. Eaton, Lot 1, \$228.66

(Paid - dropped from agenda)

- ACTION: (117) Marcos I. Santillan, Lot 2, \$203.55
Res. 80-1406 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (118) Elva R. Snyder, Lot 3, \$203.55

(Paid - dropped from agenda)

(119) Fern B. Silver, Lot 4, \$203.55

(Paid - dropped from agenda)

- ACTION: (120) Warren England, Lot 5, \$203.55
Res. 80-1407 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

- ACTION: (121) Thomas B. Thompson, Lot 6, \$203.55
Res. 80-1408 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (122) Lola M. Thedford, Lot 7, \$196.77
Res. 80-1409 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (123) M. B. Crews, Lot 8, \$196.77
(Paid - dropped from agenda)
- (124) Mildred L. Hickie, Lot 9, \$196.77
(Paid - dropped from agenda)
- (125) Samuel C. Smith, Lot 10, \$196.77
(Paid - dropped from agenda)
- (126) Jackie R. Whatley, Lot 11, \$196.77
(Paid - dropped from agenda)
- (127) Fannie Rossi, Lot 12, \$196.77
(Paid - dropped from agenda)
- ACTION: (128) Norman G. McCoy, Lot 13, \$218.89
Res. 80-1410 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (129) Kathryn L. Steele, Lot 14, \$218.96
Res. 80-1411 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (130) Betty J. Hawkins, Lot 15, \$196.77
Res. 80-1412 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (131) Gladys E. Mendonca, Lot 16, \$196.77
(Paid - dropped from agenda)
- (132) Gladys Walker, Lot 17, \$196.77
(Paid - dropped from agenda)
- ACTION: (133) Bertha I. Howey, Lot 18, \$196.77
Res. 80-1413 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (134) Albert J. Woods, Lot 19, \$196.77
Res. 80-1414 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (135) Wilma J. Liles, Lot 20, \$196.77
(Paid - dropped from agenda)

- ACTION: (136) Ronald Setliff, Lot 21, \$203.55
Res. 80-1415 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (137) Carol W. Everett, Lot 22, \$203.55
Res. 80-1416 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (138) Gladys C. Maderos, Lot 23, \$203.55
Res. 80-1417 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (139) Ronald C. Delong, Lot 24, \$203.55
Res. 80-1418 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (140) James W. Woods, Jr., Lot 25, \$203.55
Res. 80-1419 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (141) Harold W. Hinman, Lot 26, \$228.56

(Paid - dropped from agenda)

BLOCK 2129 - Bounded by Encina Ave. - Roble Ave./Camellia Way - Severin Ave.

- ACTION: (142) Thomas O. Millerman, Lot 10, \$211.92
Res. 80-1420 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (143) Henrietta Prandini, Lot 11, \$201.39

(Paid - dropped from agenda)
- ACTION: (144) Taylor H. Posey, Lot 12, \$201.39
Res. 80-1421 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (145) Daniel Eikenberry, Lot 13, \$201.39
Res. 80-1422 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (146) Donald B. Taylor, Lot 14, \$201.39
Res. 80-1423 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (147) Clair M. Peterson, Lot 15 & portion 16, \$302.08
Res. 80-1424 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (148) Theodore J. Kaczka, Lot 17 & portion 16, \$302.08

(Paid - dropped from agenda)

- ACTION: (149) Anthony Barse, Lot 18, \$201.39
Res. 80-1425 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

- ACTION: (150) Tony R. Tabalon, Lot 1, \$201.39
Res. 80-1426 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (151) Janet M. Hamilton, Lot 2, \$201.39
Res. 80-1427 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (152) Scott L. Johnson, Lot 3, \$201.39
Res. 80-1428 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (153) Jack T. Dickie, Lot 4, \$201.39
Res. 80-1429 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (154) Thomas J. Woods, Lot 5, \$201.39
Res. 80-1430 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (155) Gertrude M. Sivils, Lot 6, \$201.39
Res. 80-1431 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (156) W. Roy Vernor, Lot 7, \$201.39
Res. 80-1432 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (157) Andy Stankovich, Lot 8, \$201.39

(Paid - dropped from agenda)
- (158) Wilson M. Boyd, Lot 9, \$211.92

(Paid - dropped from agenda)

BLOCK 5303 - Bounded by Hillview Dr. - Fairoaks Dr./Clover Ln. - Meadow Ln.

- ACTION: (159) Carols A. Vergara, Lot 1, \$339.98
Res. 80-1433 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (160) James H. Edmondson, Jr., Lot 2, \$339.98
Res. 80-1434 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (161) Robert P. Green, Lot 3, \$339.98
Res. 80-1435 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (162) Pete A. Clarot, Lot 4, \$339.98
Res. 80-1436 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (163) Raymond P. Olsen, Lot 5, \$342.07
Res. 80-1437 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

- (164) Fred Varni, Lot 6, \$603.91
ACTION: Res. 80-1438 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)
(165) John E. Thurman, Lot 7, \$342.76
- ACTION: Res. 80-1439 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)
(166) Billie R. Poe, Lot 8, \$342.76
- ACTION: Res. 80-1440 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)
(167) Kirby C. Seay, Lot 9, \$406.77
- ACTION: Res. 80-1441 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

BLOCK 5323 - Bounded by Los Palos Way - Elm Ave./Arboleda Dr. - Los Cedros Way

- (168) Ralph P. Jessen, Lot 1, \$225.80
ACTION: Res. 80-1442 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)
(169) Theodore H. Wasson, Lot 2, \$228.50

(Paid - dropped from agenda)

- (170) W. Mark Moyers, Lot 3, \$228.50
ACTION: Res. 80-1443 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

- (171) James L. Petty, Lot 4, \$233.11
ACTION: Res. 80-1444 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

- (172) Philip E. Humphreys, Lot 5, \$256.84
ACTION: Res. 80-1445 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)
(173) L. A. Baker, Lot 6, \$225.24

(Paid - dropped from agenda)

- (174) Ronald Wheelless, Lot 7, \$433.83
ACTION: Res. 80-1446 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

BLOCK 6022 - Bounded by Oakwood Ave. - Ashwood Avenue/Westland Drive - Del Vale Ave.

- (175) Edward A. Borba, Lot 1, \$222.42
ACTION: Res. 80-1447 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

- (176) Johannes C. Nadell, Lot 2, \$226.47
ACTION: Res. 80-1448 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of collection.
(Finance to handle)

- ACTION: (177) Alder Fred Moore, Lot 3, \$226.47
Res. 80-1449 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (178) Lee R. Heune, Lot 4, \$226.47
Res. 80-1450 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (179) William G. Mortimer, Lot 5, \$226.47
Res. 80-1451 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (180) Charles A. Longcor, Lot 6, \$226.47
Res. 80-1452 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (181) Alfonso Cala, Lot 7, \$230.89
Res. 80-1453 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (182) Richard Priester, Lot 8, \$222.98
Res. 80-1454 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (183) Earnest W. Hawley, Lot 9, \$226.47
Res. 80-1455 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (184) Edward H. Reece, Lot 10, \$226.47
Res. 80-1456 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (185) Ruth E. Pierce, Lot 11, \$226.47
Res. 80-1457 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (186) Russell W. Martin, Lot 12, \$226.47
Res. 80-1458 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (187) Robert L. Davis, Lot 13, \$226.47
Res. 80-1459 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (188) Lowell W. Coey, Lot 14, \$230.44
Res. 80-1460 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

BLOCK 6707 - Bounded by College Ave. - Monte Carlo/Hawthorne Ave.

(189) Amos Flowers, Lot 4, \$228.47

(Paid - dropped from agenda)

ACTION: (190) James W. Marshall, Lot 5, \$232.85
Res. 80-1461 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

- ACTION: (191) Robert E. Mowry, Lot 6, \$232.85
Res. 80-1462 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (192) Harold A. Hansen, Lot 7, \$232.85
Res. 80-1463 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (193) Jean G. Hanna, Lot 8, \$239.18
Res. 80-1464 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (194) Clifford F. Smith, Lot 9, \$239.39
Res. 80-1465 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (195) First United Methodist Church, Lot 10, \$243.59

(Paid - dropped from agenda)
- ACTION: (196) Erick E. Lehfeldt, Lot 16, \$195.63
Res. 80-1466 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (197) Dorothy Kounelias, Lot 17, \$197.96
Res. 80-1467 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (198) Wendell A. Holmberg, Lot 18, \$232.99
Res. 80-1468 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (199) Minnie E. Taylor, Lot 19, \$246.51

(Paid - dropped from agenda)
- ACTION: (200) Patricia A. Handler, Lot 20, \$267.92
Res. 80-1469 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (201) Carol K. Savage, Lot 21, \$247.69

(Paid - dropped from agenda)
- ACTION: (202) Arthur Brohm, Lot 22, \$255.48
Res. 80-1470 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- BLOCK 12951 - Bounded by Hampshire Ln. - Westchester Ln./Westchester Ln. - Sunrise Ave.
- ACTION: (203) Robert B. Hernandez, Lot 1, \$355.45
Res. 80-1471 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (204) Delwin E. Eliason, Lot 2, \$360.43
Res. 80-1472 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

- ACTION: (205) Donald T. Fahey, Lot 3, \$252.92
Res. 80-1473 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (206) Heinz Purwins, Lot 4, \$250.65
Res. 80-1474 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (207) Arland H. Merchant, Lot 5, \$281.14
Res. 80-1475 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (208) Melvin M. Gabelhaus, Lot 6, \$282.01
Res. 80-1476 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (209) Delbert B. Main, Lot 7, \$280.90
Res. 80-1477 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (210) Juan G. Morales, Lot 8, \$282.15
Res. 80-1478 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- ACTION: (211) Austin E. Fuller, Lot 9, \$318.33
Res. 80-1479 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (212) George E. Thiel, Lot 10, \$250.82

(Paid - dropped from agenda)
- (213) Robert L. Leach, Lot 11, \$253.55

(Paid - dropped from agenda)
- ACTION: (214) John W. Bennett, Lot 12, \$253.48
Res. 80-1480 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)
- (215) August J. Duchala Jr., Lot 13, \$253.51

(Paid - dropped from agenda)
- (216) Loren V. Becker, Lot 14, \$253.51

(Paid - dropped from agenda)
- (217) Roger W. Ebright, Lot 15, \$253.48

(Paid - dropped from agenda)
- ACTION: (218) Steve D. Sutter, Lot 16, \$253.96
Res. 80-1481 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

ACTION: (219) Ann W. Adams, Lot 17, \$232.37
Res. 80-1482 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

BLOCK 12953 - Bounded by Windsor Lane - Rumble Road/Windsor Lane - Hampshire Lane

(220) Jess W. Ayres, Lot 6, \$354.70

ACTION: Res. 80-1483 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(221) Charles E. Kilgore, Lot 7, \$290.86

ACTION: Res. 80-1484 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(222) Charles M. Comstock, Lot 8, \$273.12

ACTION: Res. 80-1485 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(223) Ray W. Irwin, Lot 9, \$273.12

ACTION: Res. 80-1486 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(224) Glenna Arnett, Lot 10, \$273.12

ACTION: Res. 80-1487 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(225) John E. Corrin, Lot 11, \$273.12

(Paid - dropped from agenda)

(226) Joseph F. Benson, Lot 12, \$273.12

ACTION: Res. 80-1488 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(227) Larry L. Zabel, Lot 13, \$297.45

ACTION: Res. 80-1489 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(228) Samuel Roberts, Lot 14, \$354.77

ACTION: Res. 80-1490 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(229) Elizabeth Zakarian, Lot 19, \$390.17

ACTION: Res. 80-1491 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

(230) Paul L. Martelli, Lot 20, \$711.00

ACTION: Res. 80-1492 adopted (Lang/Bright, unan. Kullijian, Siefkin, Mayor Mensinger absent)
confirming report, assessing costs and directing method of collection.
(Finance to handle)

9. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

None

ORDINANCES

CONSENT

10. Final adoption of Ord. No. 2007-C.S. relating to the order of business on the City Council agenda.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2007-C.S. adopted. (Clerk to handle)

NEW BUSINESS

11. Consider rebuttal to argument on Dry Creek Park measure on the March 3, 1981, ballot.

ACTION: Council agreed to submit a rebuttal to the argument in favor of the measure.
(Mgr. to handle)

12. Consider approving lease agreement with Donald H. Scott and Margaret D. Scott for lease of the future Riverside Park/Dry Creek Park property (16[±] acres). (New four-year lease which will supersede a lease with one year remaining. Lessee will pay City 30% of hay crop for the last three years of the lease. First year will remain at 20% of crop for 10 acres and free use for 6 acres in return for pulling trees. Resolution approving agreement needed.)

ACTION: Res. 80-1493 adopted (Muratore/Bright, unan., Kullijian, Siefkin, Mayor Mensinger absent) (P.W. to handle)

13. Consider approving lease agreement with Donald H. Scott and Margaret D. Scott for lease of the former Eula Scott property (portion of future Dry Creek Park). (This is a renewal of a lease with Mr. Scott. Old lease was for 20% of the crop. New lease is for 25% of the crop for a three year term. Lessee pays taxes and water. Resolution approving agreement needed.)

ACTION: Res. 80-1494 adopted (Muratore/Bright, unan., Kullijian, Siefkin, Mayor Mensinger absent) (P.W. to handle)

14. Consider approving lease agreement with Joseph DeAnna for lease of the former Sommerfeld orchard and Kounias farm (2.95 acres of future Dry Creek Park). (This is a one year renewal of an existing lease. Rent is \$2,400. Lessee pays water and taxes. Lease expires October 31, 1981. Resolution approving agreement needed.)

ACTION: Res. 80-1495 adopted (Muratore/Bright, unan., Kullijian, Siefkin, Mayor Mensinger absent) approving agreement. (P.W. to handle)

CONSENT

15. Consider application for recognition as a "Tree City USA" Community. (Memo with agenda. Motion authorizing application for recognition needed.)

ACTION: By motion, authorized application for recognition. (P.R. to handle)

CONSENT

16. Consider abandonment of excess right of way and a 10-foot wide public utility easement in Block 4037, City of Modesto. (Memo with agenda. Resolution vacating and abandoning excess right of way and a 10-foot public utility easement in Block 4037 needed.)

ACTION: Res. 80-1496 adopted abandoning excess right of way and 10' public utility easement in Block 4037. (P.W. to handle)

CONSENT

17. Consider LAFCO questionnaire regarding the Northumberland Drive Governmental Reorganization. (Memo, map and questionnaire with agenda. Resolution responding favorably to the proposed governmental reorganization needed.)

ACTION: Res. 80-1497 adopted responding favorably. (Planning to handle)

CONSENT

18. Consider approval of the final map of Scenic Park Estates subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. Scenic Park Estates is located north of Scenic Drive between Wycliffe Drive and Springcreek Drive. It contains 4.632 acres. Resolution approving final map needed.)

ACTION: Res. 80-1498 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider approval of the final map of the Muir Medical Professional Park subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Rule Enterprises.
(The subdivision agreement has been signed and all fees paid. Muir Medical Professional Park is located on the west side of Coffee Road south of Chadwick Court. It contains 2.255 acres. Resolution approving final map needed.)

ACTION: Res. 80-1499 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider acceptance of improvements in Hollandia Corners subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Phillip D. Overholtzer, Inc. (Hollandia Corners subdivision is located at the southwest corner of Prescott Road and Snyder Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 80-1500 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Consider declaring an estimated 100 cords of wood located at the McClure House surplus to City needs and authorize the Purchasing Officer to sell the wood for \$25 per pickup load at a public sale to be held January 17, 1981, at the McClure House.
(The surplus wood is a result of tree trimming and removal activities conducted by the Parks and Recreation Tree Division. Resolution declaring wood surplus and authorizing public sale needed.)

Drop from agenda.

CONSENT

22. Request from Sofa Factory Showroom for refund of overpayment of business license tax.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 80-1501 adopted approving refund. (Finance to handle)

23. Requested variance to Downtown Sidewalk Standard at 12th Street between K and L - Thomas Sutter, Tomar Enterprises.
(Memo from Director of Public Works and request from Tomar Enterprises with agenda. On December 17, 1980, the DID Board of Directors unanimously recommended a variance to the downtown sidewalk standard be granted to Tom Sutter, Tomar Enterprises, as follows: (1) Street trees not be removed; and (2) Planter strip be installed and maintained to include sprinklers and stepping stones. Motion granting or denying variance to Downtown Sidewalk Standard needed.)

ACTION: Res. 80-1502 adopted (Lang/Muratore, unan., Kullijian, Siefkin, Mayor Mensinger absent) (P.W. to handle)

CONSENT

24. Recommend to the Council an amendment to Section 12-3-8 of the Zoning Map - P.D.O. Inc.
(On December 15, 1980, the Planning Commission adopted Resolution 80-309 recommending to the Council an amendment to Section 12-3-8 of the Zoning Map to rezone from R-2 to P-D(293) to allow a 30-unit 2-story townhouse condominium, property located on the west side of Prescott Road south from Snyder Avenue. Resolution setting public hearing January 20, 1981, at 4:00 p.m. needed.)

ACTION: Res. 80-1503 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend to the Council an amendment to Section 8-3-9 of the Zoning Map - Duane Huff.
(On December 15, 1980, the Planning Commission adopted Resolution 80-311 recommending to the Council an amendment to Section 8-3-9 of the Zoning Map to rezone from R-3 to P-D(294) to allow conversion of existing apartments to condominiums and construction of additional condominiums, property located on the south side of Standiford, east of Colonial Drive. Resolution setting public hearing January 27, 1981, at 7:30 p.m. needed.)

ACTION: Res. 80-1504 adopted setting hearing. (Clerk to handle)

CONSENT

26. Consider extending present contract with Self-Help Enterprises from its current expiration date of December 1, 1980 to February 1, 1981. Extension approved by joint meeting of Citizens Housing and Community Development Committee and Housing Maintenance and Counseling Subcommittee.
(Minutes with agenda. City has requested an independent audit of the services provided and the records maintained by Self-Help Enterprises in relation to the existing contract. Resolution extending existing contract between City of Modesto and Self-Help Enterprises needed. Estimated cost: \$16,000; funds are budgeted.)

ACTION: Res. 80-1505 adopted extending existing contract. (Planning to handle)

MISCELLANEOUS

27. Legislation

None

28. Appointments

ACTION: Res. 80-1506 adopted appointing Ellen Barton and Susan Singh of Beyer High School to the Modesto Youth Commission - terms to expire 6/1/81 and 12/1/81 respectively; and Becky Boswell and Cheryl Geisler of Davis High School to the Modesto Youth Commission - terms to expire 6/1/81 and 12/1/81 respectively. (Clerk to handle)

29. Matters too late for the agenda.

Mayor pro tem Elliott briefly discussed the City's golf courses.

Adjourned at 9:05 p.m.

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk